

THEY TRIED
TO
CRUCIFY ME

OR

The Smoke-Screen
of the Cumberland

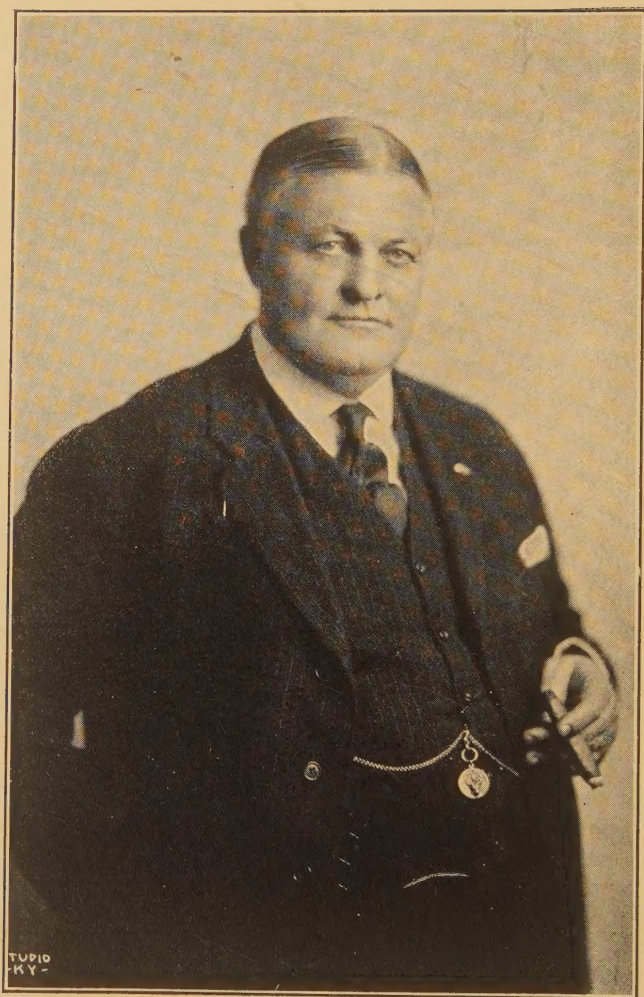
by JNO. W. LANGLEY
Former Congressman

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THE AUTHOR IN 1922.

THEY TRIED TO CRUCIFY ME

or The Smoke-Screen of the
Cumberlands

BY

JOHN W. LANGLEY
(FORMER CONGRESSMAN)

*Profusely Illustrated from Rare Prints and
Photographs*



John W. Langley, Publisher
PIKEVILLE, KENTUCKY

1929

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JOHN W. LANGLEY

*AFFECTIONATELY DEDICATED
TO THE MEMORY OF MY SAINTED
MOTHER AND FATHER*

whose love was my guiding star,
and the tender inspiration of all
I have ever done in life and

*TO MY DEVOTED AND LOYAL WIFE,
KATHERINE,*

who for more than twenty years
has striven patriotically by my
side both in Washington and in
Kentucky's rugged hills, and who
has mainly been responsible for
whatever accomplishments have
ennobled my later years.



KATHERINE G. LANGLEY

*(Author's favorite photograph of his wife who is now in
Congress.)*

FOREWORD

IN my two years' sentence to Atlanta penitentiary in 1924 I contend that I was a victim of the most dastardly "frame-up" in the annals of American penal courts.

I called my indictment then a frame-up; all my friends and untold thousands of my countrymen then so regarded it—and it is still described with that unsavory name.

I was brought into court before a seemingly unfriendly Judge, and what, by affidavits hereinafter reproduced, all too amazingly appears to have been a "packed" jury. The prosecution was in the hands of a District Attorney, Sawyer Smith, whose attitude throughout the trial could be construed only as one of the utmost malignity. And, as the prosecutor's star witness, came Elias H. Mortimer, a self-confessed criminal, with particular honors as a conspirator against the government, thief and liar, confidence man and wife beater.

To make the blow still more bitter, one of my oldest and closest friends, Sam H. Collins, then Prohibition Director for Kentucky, sat in the witness chair to play towards me the role that Judas Iscariot played towards One who had befriended and loved him.

In this book, written and financed in the travail of my later years, I shall establish—by incontrovertible, damning facts—at once my innocence and

the hellishness of the plot that railroaded me finally to prison. This plot was designed likewise to extinguish my public career and, I doubt not, had my enemies' full ends been gained, my very life. I shall, without fear or favor, impale upon the two-edged sword of TRUTH, those ignoble individuals who conspired for my indictment and conviction. I shall hew to the line and let the law of gravitation take care of the chips.

Some idea of the frenzied effort to convict me may be obtained from the presence at my trial of Mrs. Mabel Walker Willebrandt, then Assistant Attorney General.

Mrs. Willebrandt has recently, and to the unconcealed relief of the American public, passed aeronautically away from a violent attack of that malady known in medico-political circles as Enforced Resignation. Mabel was frantically bent on convicting me—franticness always seems to be chronic with Mabel—so she left her cozy offices at Washington and journeyed on down to the stuffy courtroom at Covington to give aid and comfort to Sawyer Smith, the prosecuting attorney.

Mabel's demeanor during the trial was characteristic. At all times when what she deemed a point was scored against me, it was her habit to turn a sneering grin towards my wife, who sat by my side with bowed head and almost breaking heart. That leer was typical of the rancor prevalent throughout the entire prosecutory proceedings. And, since the trial, Mabel has been often heard to wisecrack as to the good job she did on John W. Langley!

Since Mabel's quiet but effective expulsion from

office she has, I am told, and it surely is an anomalous situation, taken offices in the Department of Justice building not far distant from those from which she once issued her Czar-like mandates against old John Barleycorn. Such civilian rentals are, I know, made in a few cases, but it seems as though the old girl just can't stay away from the scenes of her former regency—it might be said that she's the cat that always comes back! In between times, in her pursuit of a livelihood, she writes pontifical articles for the New York papers on Prohibition topics, egotistical disquisition always featuring the letter I, and marked by that loose and feeble literary style, with its Teutonic idioms, that has always proven so conclusively her unfamiliarity with English composition. Were Mabel not backed by a reputation, one could imagine the fierce plunge that her contributions would take into editorial wastebaskets!

Were I less cavalierly disposed than I am towards what is often known as the "gentler sex," or of a revengeful spirit, I would not stop here in my comments on the career of the now extinct crusading female who, during her term of office did so much to inflame resentment against all laws, who brazenly tried in the late campaign to ignite the fires of religious hatred and who, more than any other official, has made the Prohibition law ludicrous in the face of the world. But—let her rest in peace. I shall leave little Mabel with her face against the pain.

Returning to the scene of my trial—what a paradoxical spectacle it presented!

For almost 20 years I had represented the 10th

District of Kentucky in Congress. Preceding that incumbency I had served for about 17 years in minor official capacities in Federal departments. It had been my pleasant fortune to enjoy the personal friendships of five Presidents. I was Chairman of some of the most important Committees in the House. In all these thirty-seven years I know that not a breath of scandal had blown upon either my character or my actions. In my own native state of Kentucky, I was not only their 10th District Congressman, but the idol, if I may say it, of my constituents. My long term of office ended with only five of the Congressmen still serving who were in the House when I entered it. And I hope that I did not fail in all the kindly and helpful deeds I could do over that long stretch of years.

Suddenly, in 1924, upon the accusation of a criminal adventurer, Elias H. Mortimer, I was indicted upon three counts for violation of the Prohibition act!

Now, anyone, no matter what his lineage or nobilities of nature, may be indicted and tried in a court of law. But I shall leave it not only to those who know me, but to the world at large, whether it did not seem an incongruous happening that I, for almost 20 years a member of the world's greatest law-making tribunal, should precipitately become the accomplice of bootleggers and confidence men! With a wife and children upon whom any violation of law by me must necessarily fall even more grievously than upon myself. Such a supposition would seem to transcend all the bounds of both probability and possibility. Behind me was, too, a long

line of God-fearing and law-abiding ancestors, whose righteous blood coursed in my veins. Only one explanation could suggest itself—and that would be the sudden loss of my reason! Yet, though my maniac enemies perhaps would have delighted to despoil me also of that, they failed and Providence has mercifully spared me to give this book to the public.

Let me emphasize that any personal criticisms made in the pages following must not be construed as an attack upon the party to which I have so long and loyally belonged. My criticisms relate only to individuals within that party who I consider have no right to call themselves Republicans, because they do not hesitate to utilize their connection with it to execute their own selfish, traitorous and vicious ends. It will be a happy day for the party when such men are driven from its ranks.

In the long months of incarceration at Atlanta, next to my gnawing distress at the plight of my beloved family, was the other grief as to my distant fellow-citizens of the Kentucky homeland. The grief that, although conscious of my innocence, I had put on their shoulders a cruel cross.

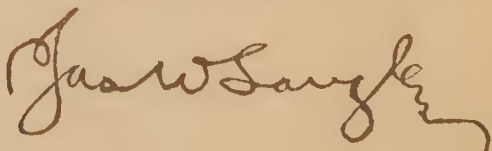
Of their unshaken loyalty, however, there was memorable proof. Six months after my conviction and sentence I was re-elected to Congress by a majority nearly 4,000 greater than I had ever before received! The VERDICT of that mighty and incorruptible jury—the PEOPLE—had been returned. Twice again has this verdict been rendered in the sensational election of my dear wife, Katherine

Langley, to my former seat in Congress, her first victory occurring while I sat in a cell at Atlanta.

Since emergence from my martyrdom what have I found? That, independent of their unchanged political loyalty, the ordeal visited upon me has seemed only to implant me deeper in their personal affection. Never while life lasts can I fitly express what this devotion has meant to me. So beautiful and touching it is that my pen falters and my eyes dim as I write these lines.

Through all those apparently endless prison nights and days, and ceaselessly since, one indomitable purpose had animated me—TO WRITE THIS BOOK, my vindication. I wanted to expose the "dark doings" long afoot to ruin my political career and to magnify into a crime the acts arising from the trusting confidence I had reposed in so-called friends. Strangest of all, immediately after my release, affidavits and other multifarious data were brought to me, unsolicited, from all quarters proving my worst suspicions to be but too well-founded.

Everything will be found in the pages that follow—read it all, dear friends, for yourselves! Read it, and draw your own conclusions. And then I am sure you will grieve with me for conditions that, tomorrow, might easily visit upon any other innocent man a fate such as befell myself.

A handwritten signature in dark ink, reading "Jas W Langley". The signature is written in a cursive, flowing style with a long, sweeping tail at the end.



SENATOR THOS. D. SCHALL

Favorite photo of my dear old friend, blind Senator from Minnesota, who served several years in the Lower House with me, at present gracing the higher chamber.

From SENATOR THOS. D. SCHALL

I served with John W. Langley for many years in the House. During our work as Republicans I came to know him very intimately and thus to have absolute confidence in his integrity, his humanity and good common sense generally. I don't think any man was more beloved by the Members of the House than was "John" as he was commonly called.

At the time of his misfortune and since, I have talked with scores of the Members of the House who did not believe that John Langley had done anything wrong nor did they believe that he was so constituted that he could have knowingly done anything to jeopardize his honor for of all things John Langley held that most precious.

PART ONE
THE STORY OF MY TRIAL

Chapter I

ON the 7th day of April 1924, in the U. S. District Court, at Covington, Ky.,—over 200 miles from my home at Pikeville,—an indictment was returned and filed against me alleging a “conspiracy to violate the Prohibition act,” on three different counts.

After a number of adjournments on motions, my case finally arrived at trial in the U. S. District Court at Covington, before presiding Judge, Hon. A. M. J. Cochran, on the 6th day of May, 1924. My defense attorneys were Henry E. Davis, John W. Price, W. A. Burkamp and W. T. Fowler.

Named in the indictment with me were M. E. Huth, Walter P. Carey, Albert F. Slater, Hiram W. Benner and another. Named in the alleged violation but not included in the indictment, were one Gus Schwarzkopf, one Jacob Eichenberg, one Elias H. Mortimer, and one James L. Brady. Benner’s removal from Philadelphia was successfully resisted by him, and only Huth, Carey, Slater, myself and another were put on trial.

Incidentally, one of the affidavits in my possession asserts that several of the jurors frequently remarked they’d be glad to acquit Slater if that was needed to convict *me!* There was a “hung jury” on Slater, and later his case was dismissed on motion of the prosecutor.

In the drab courtroom at Covington stood this prosecuting attorney, Sawyer Smith, and lo and behold! by his side no less a dignitary than Mrs. Mabel Walker Willebrandt, Assistant Attorney General of the United States.

Filled with holy fervor, the great protagonist of the dry

forces had journeyed down to Covington to see to it that if John W. Langley stayed out of jail it would be over her dead carcass.

On May 10th, after twelve witnesses had been examined Huth and Carey withdrew their pleas of not guilty and pleaded guilty.

Remaining defendants then severally moved that all the testimony heard up to this point was evidence against only the withdrawing defendants.

This motion the Court overruled, saying in effect that no defendant could be shown to be a party to the conspiracy charge except by evidence as to what he himself said and did.

I should explain that defendants, Huth, Carey and Finn had already been tried and convicted upon the same issues inherent in my case, but my own name was not even mentioned throughout their trial. Their case was reversed on appeal and Smith and Willebrandt gave immunity to Finn so that he could be a witness against myself, Huth and Carey, certainly a peculiar artifice. Finn's evident effort in the witness chair was to favor me, and although he had been willing to become our witness we distrusted his offer and refused it.

The indictment is a lengthy document, but a clear conception of its contents will be conveyed by the following summary—Let it be noted that the Court eliminated the first of the three counts:

SUMMARY OF INDICTMENT (Counts 2 & 3)

From September 17 to November 18, 1921.

(1) Langley was a Member of Congress.

(2) Collins was a Federal Prohibition Director for Kentucky.

(3) McConnell was Federal Prohibition Director in Philadelphia, Pennsylvania, and Collins and McConnell were charged with enforcement of the provisions of the

National Prohibition Act, designed for prevention of withdrawal, transportation and use of whisky for beverage purposes;

(4) Slater was a United States employee with authority to approve applications for permits to purchase whisky and to sign the name of McConnell as Prohibition Director to permits at the office in Philadelphia;

(5) Benner was a Federal Prohibition agent in said office with the duty of approving such permits for certain parts of Pennsylvania, Slater and Benner having immediate control of blank permits for said purpose;

(6) Brady was storekeeper-gauger at Belle of Anderson Distillery, Kentucky, charged with the enforcement of the Internal Revenue laws, designed for prevention of withdrawal, transportation and use of whisky for beverage purposes upon which revenue tax had not been paid.

(7) Mortimer, Schwarzkopf, Eichenberg and another were engaged in the business of procuring liquors, including whisky, for use for beverage purposes; and

(8) Huth, Finn and Carey, owners of whisky in the Distillery, were desirous of selling the same for beverage purposes and of having the same transported from the Distillery by motor vehicle and by truck for beverage purposes.

The persons named and other unknown, well knowing all the premises, conspired to commit an offense against the United States namely, unlawfully to sell (second count) and unlawfully to transport (third count) liquor for beverage purposes, "and in the following manner":

(1) Huth, Carey and Finn were to pay Mortimer, Schwarzkopf, Eichenberg and another \$32,000.00.

(2) A permit was to be issued by Slater and Benner, over the name of McConnell, authorizing the purchase by and in the name of Lewis Drug Company of Philadelphia of 1,400 cases of whisky from the Distillery, and the shipment and transportation of the same therefrom by truck.

(3) Langley was to prevail upon, influence and coerce Collins to give his consent and approval to the truck shipments; and

(4) Certain of the conspirators, unknown by name were to influence and induce Brady to permit the shipments and removal upon said permit, ostensibly authorizing purchase and transportation of the whisky for medicinal purposes, but in fact to secure release of the same for sale (transportation) by Huth, Carey and Finn

for beverage purposes, said selling (transportation) of said intoxicating liquors in said manner and form and for the purposes above set out being then and there prohibited and unlawful.

Huth, Carey, Langley, Slater, Benner and another are indicted, Finn, Schwarzkopf, Eichenberg and Mortimer are not indicted because they have testified concerning the matters charged in the indictment.

Brady is not indicted because already indicted at Frankfort.

Overt acts, fifteen in number, are stated.

To put the charge in brief words, the prosecution rested upon only three points:

(1) That I had borrowed money from Elias H. Mortimer construed as a bribe.

(2) That at different alleged "conferences" in hotels at Louisville and Lexington, Ky., I had tried to intimidate Sam H. Collins, Prohibition Director, into giving official consent to the removal by truck of 1,400 cases of whisky from the Belle of Anderson Distillery in that state.

(3) That in the money paid me by Mortimer there was a certain \$2,000.00 transfer in a roundabout way for which no note was given.

To back up these charges the sole and only evidence at my trial was that secured from Mortimer and Sam H. Collins.

The prosecution placed on the stand, about twenty witnesses ranging from Brady, the keeper of the seals of Belle of Anderson Distillery, up through Post Office Inspectors, certified public accountants, bootleggers and Volstead officials—all the way through to the star witness, Elias H. Mortimer, the man whose testimony if believed would I think have convicted even the Saviour of Mankind.

Before going farther with the story let us get a line on

Arrested

Typical photograph of the congenital criminal and perjurer, Elias H. Mortimer, real name, "Muscovitz." I let this picture speak for itself.



P AND A. PHOTO

ELLIAS H. MORTIMER, who during the Veterans' Bureau investigation, testified to schemes for looting the \$900,000,000 fund for disabled soldiers, yesterday was arrested in New York, charged with cashing a worthless \$50 check.

Mortimer's character—let us glance at the documented "record" of this glittering ornament of the witness chair.

In the U. S. District Court, for eastern division of northern district of Illinois, four indictments were returned on February 29, 1924, as follows: Charge of conspiracy to defraud the United States ELIAS H. MORTIMER and three others.

No. 12,228 (Sec. 37, Criminal Code) charges conspiracy of ELIAS H. MORTIMER, with a number of others indicted.

No. 12,229 (Sec. 17, Criminal Code) An indictment against one Forbes for receiving a bribe from ELIAS H. MORTIMER and others.

No. 12,230 (Sec. 39, Criminal Code) An indictment against one Thompson for giving a bribe, although it is charged that the bribe was given by ELIAS H. MORTIMER and two others.

Indictment in May 1923 in the Southern District of New York, together with two other defendants for conspiracy in violation of the Prohibition act. (He was at that time using the name "John Mortimer".) He was released on \$5,000.00 bail.

The migratory Mortimer, who seems to be a devoted patron of the Cook tours, evidently must have had his signature on almost every hotel register in the United States. Moreover, we find him not only visiting New York and sharing in its pay night life, but also living there at different times. On one of these globe-trotting visits he turned up among the guests of the Empire Hotel, 63rd St. and Broadway, where the obliging manager cashed for him a check for \$50.00 which later revealed itself as being made of bouncing rubber. Mortimer was arrested and held in \$500.00 bail.

Let me hasten to add that the above is about all I could definitely find in filed criminal court proceedings against the weasel-like Mortimer. But reports in my hands furnish sinister comment on his other trails of divorce, forgery, mendacity and plunder. The trouble in

securing information on the devious operations of this gentleman is that his apparent fondness for aliases made him about as elusive as an eel.

However, with the aid of a nationally-known detective bureau, I discovered many curious facts concerning Elias H. Mortimer.

Mortimer, remember was the star witness against me. It was his lying testimony that the jury heard and apparently believed; he brazenly admitted to his record on the witness stand; moreover, his whole attitude towards myself was one of bitter spite and contempt.

So far as that jury was concerned, of course, and as I shall show by irrefutable affidavits and other evidence, their demeanor was such as to create, with all unbiassed spectators, the impression that they were ready to convict me without hearing a syllable of evidence.

But they did hear this evidence of Mortimer's, and they must have fully and unreservedly believed or pretended to believe it; and they did bring in their verdict of guilty upon it, thus saving the face of the prosecution.

I now quote fully from the reports of the Investigation Agencies covering Mortimer:

April 23rd, 1924.

Hon. John W. Langley,
Frankfort, Kentucky.

In re: ELIAS H. MORTIMER.

Dear Mr. Langley:

We acknowledge receipt of your telegram of April the 21st, 1924, as follows:—

“Referring to your recent letter and my wire please get all data available quickly as possible and send to Hon. Henry E. Davis attorney at law, Fendall Building, also copy to John W. Price, Southern Building, both of Washington, D. C. Am writing you tonight.”

In reply will say that all we know of the party in

question is in a general way but will endeavor to ascertain something specific. From his activities generally, we are convinced that Wm. J. Burns has had him locked up extensively and his files would at once give you all the information you might require to break down his testimony. If you knew some influential member of the other side of the House who was friendly to Burns, you should be able to secure the desired information, saving considerable time and expense.

There are several suits pending here and we shall immediately get behind these transactions and forward the reports as directed.

Mr. J. W. Thompson,
1101-3 Boatmen's Bank Building,
St. Louis, Mo.

In re: ELIAS H. MORTIMER.

Report covering investigation as to
record of Elias H. Mortimer.

Dear Sir:

In connection with your instructions to go to Minneapolis and get information relative to Elias H. Mortimer, beg to advise that I proceeded to Minneapolis, Monday, April 14th, arriving at Minneapolis the following morning, Tuesday, April 15th, at 9 A. M.

I immediately got in touch with Mr. Nicholas V. Lux, with whom you had had some correspondence and long distance communications relative to his being able to supply you with information regarding this party and was able to make an appointment with Mr. Lux for two P.M. of the same day.

In the meantime, however, proceeding upon information which you had previously furnished me, viz: copy of telegram dated Minneapolis, April 1st, signed John C. Benson addressed to S. K. Joice, Cumberland Hotel, New York; telegrams between A. N. Jacobs and Col. C. R. Forbes and James Easby-Smith; memorandum supplying name of Anson B. Jackson, New York Life Building, Minneapolis, reference Peyton Gordon, United States Attorney, Washington, to the effect that Mortimer had been indicted for conspiracy, and had turned state evidence in Minneapolis; and also a Mr. Vandana-ker, who addressed a communication to Col. Charles R. Forbes from St. Paul, Minn.

First, I interviewed Mr. Anson B. Jackson, who I found to be an attorney with offices in the New York

Life Building, and he informed me that the party whom he thought was Mortimer, was in fact a party by the name of D. R. Morrow, who was indicted together with a party named James J. Wise and another party named Harry J. Tremaine. This indictment was returned at Willmar, Kandiohi County, Minnesota, in connection with the sale of stock in the Sterling Securities Company, and in this case D. R. Morrow turned state evidence, the other two parties being tried and in connection with which trial the jury disagreed and there never was a retrial. These indictments were returned September 8, 1914, and the trial came off October 21st to 30th, Elias H. Mortimer on account of the description given, I followed several leads and interviewed several other parties who were acquainted with Morrow and while in appearance and personal habits there was a great deal of similarity, I found that it could not have been possible for Mortimer to have gone under the alias of D. R. Morrow as they were two different men.

Mr. John C. Benson is also an attorney with offices in the Security Building, but was out of town and would not return for several days, and as his telegram referred to a local investigator, upon referring to the City Directory I found Mr. A. N. Jacobs who is listed as local investigator for the United States Veteran Bureau, and upon interviewing him, found that he was the party referred to by Mr. Benson.

Mr. Jacobs advised me that he had known Mortimer since he was a boy, but that he had had no business relations with him and referred me to a Mr. A. S. Dowdall, Jr., who is also an attorney, with offices in the Plymouth Building, and the matter referred to in Mr. Jacobs' wires to the effect that Mortimer had perjured himself for the Minneapolis Street Railway Company, I learned from Mr. Dowdall grew out of an automobile accident in which a party was killed. A friend of Mr. Dowdall was attorney for the heirs of the deceased kin the claim of damages against the Street Railway Company, known as the Transit Company, and I learned that this accident happened in front of Mortimer's house where a party was in progress at the time and upon hearing a commotion outside Mortimer and others ran out to see what had happened and there-upon learned that the party who was injured was an acquaintance of Mortimer's. The attorney for the heirs of the deceased in looking about for witnesses to the accident had asked

Mortimer if he had seen same and he assured them that he had not and he was therefore not further considered as a witness in the case. Later, however, it appeared that the Street Railway had gotten hold of Mortimer and the supposition was that for a consideration he had agreed to testify in favor of the Street Railway Company to the effect that he had seen the accident when as a matter of fact it was well known that he had not, and in refutation of his testimony the attorney for the heirs of the deceased subpoenaed Mortimer's mother and she testified at the trial of the case that Mortimer was in the house at the time the accident occurred and could not have been a witness thereto. As judgment was rendered in favor of the claimants against the Street Railway Company, however, no action was taken by the attorneys for the claimants against Mortimer on the perjury incident, but I understand that later an indictment was returned against Mortimer by the Grand Jury, but that he could never be found and indictment was never pressed. I have arranged to have parties in Minneapolis look up the records in connection with this case, also the District Attorney's office to verify the fact that an indictment was returned and this information will be obtained later.

In connection with the letter from Mr. Vandanaker addressed to Col. Forbes, I was unable to find this party in St. Paul the day that I was there, but have left the matter in other's hands to interview him and forward any information gathered.

Mr. N. V. Lux is the President and General Manager of the St. Paul Cornice, Roofing and Ornament Company and was formerly local manager for the Berger Company. In his capacity as Manager for the Berger Company, in 1915, he employed Mortimer as a salesman and sent him to the home of the Berger Company at Canton, Ohio, for the purpose of acquainting himself with the line of goods manufactured by them. He reports that Mortimer was so wild while in Canton, getting on sprees, having wild parties and escapades, using funds for his own use that had been supplied to him for necessary expenses while in Canton, that it became necessary for Mr. Lux to recall him to Minneapolis and forthwith discharge him. In connection with this, Mortimer gave a check to one N. P. Wright for \$25.00 drawn on the First National Bank of Minneapolis, dated January 16, 1915, which was protested for non-payment

by reason of the fact that Mortimer carried no account in the First National Bank of Minneapolis. Mr. N. P. Wright was a friend of Mr. Lux and as Mortimer had been sent to Canton by Mr. Lux, he felt obligated to reimburse Mr. Wright for the amount, which he did, and now holds the check and protest papers in connection with this transaction a photographic copy of which I have secured.

I also learned from Mr. Lux that a contractor in Minneapolis by the name of Schumacher loaned Mortimer \$100.00 for which he was given Mortimer's note and that some time later when Mortimer seemed to be in fairly good circumstances he called upon Mr. Mortimer for payment. Mortimer agreed to pay him \$50.00 on account and gave him a check on one of the banks of Minneapolis, receiving credit for same on the note, but that subsequently the check was returned to Mr. Schumacher unpaid with the notation that the account had been closed. Mr. Schumacher holds this note and check and Mr. Lux has promised to secure a photograph of these papers as soon as possible and forward to me for our record.

I also learned from my interview with different parties in Minneapolis that Mortimer had gone through bankruptcy in the United States Court and I have secured a certified copy of his petition and discharge, showing schedules of his assets and liabilities. The petition was filed the 17th day of October, 1916, and the discharge was dated November 3rd, 1917. Mr. A. S. Dowdall, Jr., with whom I have already advised of an interview, informed me that this petition in bankruptcy was filed in order to prevent Mr. Dowdall from collecting a fee for legal services, he having represented Mortimer in a claim against the National Material & Supply Company, of which Mr. A. Huhn was the proprietor. This claim grew out of a transaction involving commissions which Mortimer claimed against the National Material & Supply Company on business procured for them and upon which a settlement was agreed for \$1,000.00. This \$1,000.00 was payable through their attorney Mr. F. H. Stinchfield, by two checks for \$500.00 each, one payable as of date issued and the other payable in six months, or dated six months ahead, which date carried October 28, 1916. It seems that the agreement between Mortimer and Mr. Dowdall was to the effect that Mortimer was to receive the check for \$500.00 payable at once and he, Mr. Dowdall, was to accept the post dated

check for his services in connection with the settlement, but that Mortimer secured possession of both of these checks and refused to turn same over to Mr. Dowdall, and as same was post dated and could not be payable until October 28, 1916, Mr. Dowdall filed a garnishment on the Northwest National Bank of Minneapolis and thereupon held up payment. This post dated check is the only asset scheduled with the bankruptcy proceedings and to recover which Mr. Dowdall filed a claim and was finally allowed the amount. This proceeding is all a matter of record in the bankruptcy case, which is No. 2979 of the United States District Court, District of Minneapolis, Fourth Division. The total liabilities listed amount to \$3,705.03, upon which no payment was made, with the exception of the Dowdall claim, which was proved to be preferred claim by reason of the check for \$500.00 being in evidence, which Mortimer got hold of by misrepresentation.

Among the claimants in the bankruptcy proceedings is one W. O. Hartig of the W. O. Hartig Electric Company, address 312 Marquette Avenue, Minneapolis, which is represented by a judgment for \$603.50. Mr. Hartig claimed that this was money Mortimer borrowed from him in advance of commission which would be allowed him for securing work for the W. O. Hartig Electric Company, but which was never secured, or ever produced, therefore no commissions were ever earned by Mortimer.

In addition to the above I employed the service of the Trotter Detective Bureau, of which Mr. Charles F. Trotter is President, Mr. Trotter has agreed to get Mortimer's record complete and will furnish it with detailed information from time to time as the same is gotten, and particularly in connection with Mortimer's employment by the Minneapolis Steel & Machinery Company, whom Mortimer represented for a number of years prior to his leaving Minneapolis. My information is that it finally reached the point where the Minneapolis Steel & Machinery Company had to discharge Mortimer, as he was continually in trouble by giving bad checks which the Company had to make good, and even went so far as to collect customer's accounts, hypothecating such funds for his own use, and in some instances customers were required to pay their accounts twice, and other delinquencies which made it embarrassing to the Company.

Mr. Lux and the Trotter Detective Bureau will co-

operate in securing and compiling definite information on these transactions and will secure the names of parties who are willing to testify as to their transactions with Mortimer.

I have already supplied you with a copy of the Twin City Reporter dated February 22, 1924, which carried an article in connection with one of Mortimer's escapades at the Radisson Hotel. The Trotter Agency will interview all creditors listed in the bankruptcy schedule for further information, and any others whom he may get a line on and whom he knows.

Mr. A. N. Jacobs, Mr. A. S. McDowdall, Jr., Mr. W. O. Hartig, Mr. Nicholas V. Lux, whose addresses are known, have already specified their willingness to testify as to Mortimer's reputation for truth and veracity and fair dealing, which they have admitted is very bad, and will also testify to the transactions which each have had with Mr. Mortimer, either by deposition or as a witness in Chicago.

April 24, 1924.

In re: ELIAS H. MORTIMER.

Report of Principal (S)

In making an investigation in reference to the above party we learn that he was very active in and around Philadelphia during the Summer and Fall of 1923, stopping principally at the Rittenhouse Hotel, Chestnut Street, and is accredited by those with whom he came in contact with as being a bootlegger. He is married, having married Miss Katherine Bulkley Tullidge, but his wife was not with him in Philadelphia at the Hotel, tho she may have been living at the home of her parents Dr. and Mrs. George B. Tullidge, 2226 Delancey Street, Philadelphia.

While at the Rittenhouse Hotel he passed numerous checks principally on the Mt. Vernon Bank in Washington, D. C. a number of which were returned without sufficient funds but were subsequently made good. Upon one occasion, when offering a check he was asked by the Auditor of the Hotel, Mr. Colgan, to fill out an identification card, but in lieu thereof he handed Colgan a business card representing himself to be Vice-President of the Campbell Corporation, an anthracite coal company doing business at 1027 Real Estate Trust Building.

We called upon the Campbell Corporation for information but ascertained that Col. Campbell who was

most familiar with his transactions was out of the City and a conference was arranged for at 5 P. M. Friday April the 25th. From a subordinate we learned that Mortimer had really never been connected with the Corporation and was now being sued by them in the Municipal Court for a check for \$500.00. Thinking that Mortimer had misrepresented his connection by having the cards printed as referred to, we asked how it was and the information obtained was to the effect that he was allowed to use the cards to give him standing.

From another source of information we have learned that Mortimer was introduced by a friend to Congressman Edmonds of Pennsylvania and by him to some one else and then to a liquor dealer in this city. In a strictly legal proposition about liquor permits, in which it was desirable to expedite matters, the liquor dealers gave Mortimer \$2,500.00 for the purpose of using same in Washington. The matter fell through and Mortimer kept the money. The liquor dealer swore out a warrant for his arrest and Congressman Edmonds saw Mortimer in Washington and forced him to make restitution.

On further investigation revealed the fact that Mortimer was arrested in this City July 30th, 1923 on the charge of surreptitiously removing an automobile from a garage while owing some \$300.00. He was locked up in the 5th Police District for several days, finally furnishing bond in the sum of \$400.00. Was granted a hearing before Magistrate Chas. P. Rooney, 11th & Sansom Streets, on August the 7th, continued until September the 11th, at which time all damages having been paid the charges were withdrawn.

Mortimer is now in Philadelphia under the escort of the Department of Justice men and will have to appear on Friday, April the 25th, before Judge Thompson in the United States Court. The action is the removal under indictment of two men, one Benner and the other unnamed who are indicted with client in the Kentucky matter. Benner is represented by McAvoy and Brande, North American Building, and the other by Wm. A. Gray, Heymann Building.

Interviewing Mr. Brand in reference to the matter of the further hearing tomorrow he stated that both these men deny they are the men mentioned in the indictment and Mortimer is brought on here for the purpose of identifying them. It is the expressed purpose of counsel to force testimony in the opening, the same as that

presented before the Grand Jury in Kentucky and knowing that Brenner is in no way connected with the matter it is confidently expected Mortimer may perjure himself. We consider this hearing of such importance that we shall have a representative present to furnish us with a synopsis of the proceedings which will be promptly forwarded.

Mrs. Mortimer is now suing for divorce and it is our purpose to interview her as she is reported as being very bitter against her husband owing to his testimony before the investigating committee of the Veterans Bureau, when Mortimer linked her name with that of Forbes.

We have also learned that Mortimer gave a check for \$75.00 to a woman whom we can locate. This check was dishonored and to sum up our investigation so far we find:—

1. Several suits pending civilly against Mortimer.
2. He has a police record as given above.
3. He has frequently passed bad checks.
4. He is under several Federal indictments.
5. He can be prosecuted in Pennsylvania for passing at least three, possibly four bad checks, a separate charge to be made in each case.

The matter of his arrest here, however, is a matter of judgment for counsel. The prosecutors live here and to avoid any danger of the complaints being satisfied, we would have to intimate to the complainants that while no settlements would be allowed they would in the end lose nothing. We would have to be assured of this. We could in following this action have bail fixed according to our judgment and conviction would follow. This would certainly discredit his testimony.

After Friday Mortimer will probably leave our jurisdiction in which case should we proceed upon these lines we would have to immediately move for indictments so that extradition would be expedited in case of arrest.

In the absence of our client we talked briefly with his secretary, briefly outlining the above and informed him that a copy of this report would be forwarded to Mr. Price where he could obtain same to forward to Mr. Langley.

We also talked to Mr. Henry E. Davis who informed us that he was leaving for New York City at midnight and would not be in his office on Friday. He was in-

formed that this report as well as other information obtained would be forwarded to his office and that we would await further instructions.

April 25, 1924.

In re: ELIAS H. MORTIMER.

Report of Principal (S)

Further investigation regarding the above party, developed the fact that at one time he made his hangout in the offices of E. J. Gardner in the West End Trust Building and interviewing Mr. Gardner we have been informed that Mortimer is a man devoid of all principle, is considered a rat and under no circumstances would he believe Mortimer under oath. When asked whether or not he would take the stand and testify to the fact he claimed he was perfectly willing to furnish any information possible and would bring his influence to bear upon others to do as we would wish, but he personally would have to remain in the background.

From several other sources of information we have been told by those in a position to know that the proper query would be as to where Mortimer is getting his money as he is known to owe everybody he can and was broke, but still seems to be able to travel in a rapid manner. It is further said that he was some relative of President Harding and were it not for the President's demise he probably would still be riding high.

We have been trying to get in touch with Col. Campbell for first hand information and also with H. Horace Dawson an attorney 1535 Chestnut Street, who we are informed went on the bail of Mortimer when he was arrested on the automobile case and who was stuck. We shall also endeavor to ascertain the names of some reputable people who will be willing to qualify and testify to the effect that they would not believe Mortimer under oath.

This report will be followed by further information.

April 26, 1924.

In re: ELIAS H. MORTIMER.

Report of Principal (S)

Continuing the investigation we have had a long conference with Col. Campbell of the Campbell Corporation and while he is very much down on Mortimer for reasons best known to himself he would hesitate appear-

ing against him in Court. As previously reported Mortimer represented himself as being Vice-President of the Campbell Corporation and while he was in New York his wife called upon Col. Campbell to ascertain her husband's interest. She was informed that he had no interest and no connection with the Corporation outside of receiving a commission on any sales that he made. Other personal information was furnished and as a result she wrote to Mortimer in New York. This incensed him and he wrote to Col. Campbell accusing him of trying to date up his wife and threatening him to get him for it. We understand these threats to have been made to offset any action by Col. Campbell to recover monies learned. There is no truth in this accusation but there is a feeling of hesitancy upon the part of Campbell to come to the front.

He further informed us that upon one occasion Mortimer was cursing and damning about some notes that our client had given him, payable \$650.00 a month and had stated that he did not see how he was going to get the money as that sum equaled his salary in Washington.

Upon another occasion a Department of Justice Agent came into the office and demanded Mortimer's personal file. Unknown to the corporation he did have some of his correspondence in a separate file which consisted of correspondence with the Senate Committee in reference to the Veterans' Bureau. This leads us to believe that the Department of Justice Agent was seen recently with him in New York City, ostensibly acting as guard. Campbell is willing to help but is unable to furnish us with anything concrete.

We also have interviewed J. Joseph Frank, druggist at 13th and Girard Avenue, and while Mortimer gave him a bad check for \$27.00 and while he has sued civilly he feels even that action was a mistake, because he knows that Mortimer is a frame and might 'cause him trouble that would cost more than taking this loss. He however furnished us with information that a young woman had said to him she would like to see Mortimer for she had a pocket full of his bad checks. He could not recall the lady's name but said she was a friend of a Mr. Dickson, Insurance business on Walnut Street and through him we may be able to trace her and interview her.

We have also received information that Mortimer was intimate with a woman separated from her husband Bill

Homer, the woman now going under the name of Mrs. Forks, now occupying an apartment at 1813 Spruce Street. We shall endeavor to interview her, as she is reported as holding a bad check for \$75.00.

We are enclosing a clipping from the Public Evening Ledger under date of April the 25th. This account is fairly accurate as reported by Principal (R) and the only reference to our client was as stated in the article. We are making an effort to secure a transcript of the evidence for your further information.

At the continued hearing Saturday A. M. L—— was held under \$5,000.00 bail for appearance in Kentucky and Benner and Slater were held for a further hearing. Further information will follow.

The reference in the newspaper article to our client was to the effect that Thomas J. Finn, Columbus, Ohio, admitted giving A. M. L—— \$30,000.00. He said on the stand he paid the money after a conference in a Louisville Hotel at which John W. Langley, a Kentucky Congressman was present, Langley was indicted in the case.

Enclosure.

April 28th, 1924.

In re: ELIAS H. MORTIMER.

Report of Principal (S)

Nothing further can be added to previous reports other than we have been assured by one of client's acquaintances in this City informed us that he thought he could produce a man on Thursday who would swear out warrants for Mortimer's arrest on a charge of passing worthless checks and possibly for forgery, but he was not quite sure as to the latter charge. We will get this warrant if possible and hold same waiting further instructions.

Inclosed please find clippings appearing in the Sunday "Philadelphia Inquirer" regarding the court proceedings here. It is a comprehensive statement. Our client in his telegram to us stated that he had written to us. Kindly inform his secretary that we have received no letter and to acquaint his principal of the situation here.

I might mention the fact at this point, that "Elias H. Mortimer" even in this name carried an alias, one he seemed to have used on the majority of occasions. His real "handle" is said to be Muscovitz.

During the trial period he was separated, but not divorced, from his wife, and this deprived me under the Kentucky statute of the great advantage of making Mrs. Mortimer my witness, which she was most anxious to be. She undoubtedly would have unfolded a tale of the most damaging character. About a year after the trial; I was told she obtained her divorce in either Philadelphia or Pittsburgh.

I might further explain that trial venue doubtless was hastily switched from Washington to Kentucky, so that Mrs. Mortimer, who would have testified most damagingly against her husband, and Mrs. Langley, whose testimony would have been incalculably valuable to me from her conversance with all the facts, would both be restrained by the Kentucky state law forbidding a married woman to take the witness chair either for or against her husband while they could both so testify in Washington.

All doubts concerning Mrs. Mortimer's attitude are quickly removed by the exhibits following. On the occasion of my parole from Atlanta in 1926, she addressed to Mrs. Langley the following telegram:

MILFORD, CT.
DEC. 19, 1926.

GOD BLESS YOU ALL. MY HEART IS TOO
FULL TO EXPRESS WORDS. LOVE.

KATHERINE MORTIMER

On another occasion she wrote Mrs. Langley:

52 Broad Street,
Milford, Conn.

Dear Mrs. Langley:

It is with the greatest pleasure that I learn of your successful fight to fill the seat left vacant by the terrible and unwarranted persecution of Mr. Langley. The joy

of knowing that his constituents still believe and trust in him is shared by us all.

Since our meeting at Covington and the terrible consequences resulting, it has been my daily prayer to see such a man of honor and integrity as Mr. Langley vindicated in the eyes of the world, as your election has done.

My dear child, please know that my heart beats with yours in the hope that he will soon be restored to his loved ones and friends.

Cordially yours,

KATHERINE TULLIDGE MORTIMER

(Originals of both letter and telegram are in my possession.)

Returning to Mortimer, it would appear from the records, that he has been an occupant of the witness chair for nearly all the spare time of his adult career. Independent of his rather ludicrous appearance in my own case, he testified at one time before the Senate Committee investigation of Charles R. Forbes, head of the Veteran's Bureau. Later he testified before the Congressional Committee investigating one, Thompson, and another for violation of the Prohibition act. Still later, with his witness chair halo still fresh, he appeared before another Congressional Committee investigating charges of violation of the Prohibition act by Representative Zihlman of Maryland. In this particular case, the amazing Mortimer seems to have utilized the witness chair partly as a confessional, for with the most brazen candor he admitted repeated violations of the Volstead law in several states. However, in the Zihlman case, his traitorous aspirations were foiled, for Zihlman was completely exonerated.

Perhaps one of the most humorous incidents of Mortimer's checkered career occurred in the Empire Hotel bad check case. When he was arrested in his New York

office on this charge he loudly protested: "*This will disgrace me, and ruin me in my business.*"!! He also told the police that his wife was a niece of President Harding, a story which he had repeated throughout the country. He had continually boasted that he bore a charmed life, and that "*my testimony always goes where the most dough is.*"

Mortimer's destructionist complex extended even to mother-in-laws. During a session of one of the Congressional Committees in Washington, the newspapers reported his arrest on a charge of hitting his mother-in-law over the head with a shovel! This complex extended to his favorite recreation of also beating up his wife, to which painful fact that estimable but unfortunate lady will bear witness.

Nothing could seem more significant than the setting of my trial at Covington, 200 miles distant from my home, and in a politically hostile district, despite the motions and protests of my attorneys that I could not get justice there. It was also the amazed belief of all my friends, my attorneys and also many others that I was tried and convicted before a "packed" jury at Covington.

It is far from my desire to appear in print with an accusation that those "twelve good men and true" were either "packed" or half-packed. It is indeed quite possible that if I were kicked by a mule, I might possibly think it was a tom-cat. But I can truthfully say that the impression made upon the defense and its friends by the jury was one of extreme bias. However, all I want to do is to present five affidavits—and these must speak for themselves. And the reader must draw his own conclusions. I approach the first of these.

Johnny Marcum, a reputable citizen of Louisville, Ky., was, prior, to my trial,—evidently considered good

-3-

Boone Co.

- ✓ 16 Penj. Laddock Hebron #3
- ✓ 37 J. D. Ayler Florence
- ✓ 44 C. O. Hempfling Constance.
- ✓ 56 George F. Latta Burlington.
- ✓ 11 J. T. Stephenson, Florence
- ✓ 24 R. C. McGlasson, Hebron

Eracken Co.

- ✓ 1 Ed Tabb Jr R.R. Augusta.
- ✓ 14 Will Barkley " "
- ✓ 19 Leslie Collins "
- ✓ 24 R. King Germantown.
- ✓ 3 Geo. Latch. Foster.
- ✓ 5 W. T. Patterson " "
- ✓ 25 Carl Overtop
- ✓ 29

Campbell Co.

- ✓ 34 M. Thomas
- ✓ 37 J. J. Laycock
- ✓ 38 Jim Thornton
- ✓ 41 T. A. H. Treaslyn.
- ✓ 43 E. H. Neilsen.
- ✓ 27 T. G. Tallyroll Co.

Harve Estes D. 7

- ✓ 14 P. Craig D. 7
- ✓ 18 T. P. Craig D. 7
- ✓ 22 Claude Brown D
- ✓ 10 J. G. Ashby. D
- ✓ 20 Joe Smith

Fleming Co.

- ✓ 44 J. W. Neal
- ✓ 52 A. D. Carpenter
- ✓ 58 Sam F. Burns
- ✓ 60 James E. Smith
- ✓ 7 H. H. Overly
- ✓ 15 S. C. Howe

Mason Co.

- ✓ 18 W. K. Deay
- ✓ 12 R. O. Chambers
- ✓ 24 W. W. McIlvain
- ✓ 31 L. E. Long
- ✓ 31 Fred Parkey
- ✓ 21 Lester Smoot
- ✓ 2 Fat Comer
- ✓ 6

Nicholas Co.

- ✓ 33 S. W. Hopkins
- ✓ 36 J. C. Wilson
- ✓ 39 Robert Harper
- ✓ 42 C. C. Myers
- ✓ 1 C. S. Jacobs

Robertson Co.

- ✓ 34 Leslie Vanden
- ✓ 44 J. H. Scaus
- ✓ 54 M. B. Bradley
- ✓ 54 Forrest Chamberlain
- ✓ 54 Z. A. Thompson
- ✓ 54 E. Woodward Jr.

Trimble Co.

- ✓ 18 R. W. Powell
- ✓ 29 W. W. Logan
- ✓ 33 W. T. Bare
- ✓ 40 P. R. Bates
- ✓ 41 John Perry

✓ 18 W. K. Deay
✓ 12 R. O. Chambers
✓ 24 W. W. McIlvain
✓ 31 L. E. Long
✓ 31 Fred Parkey
✓ 21 Lester Smoot
✓ 2 Fat Comer

✓ 33 S. W. Hopkins
✓ 36 J. C. Wilson
✓ 39 Robert Harper
✓ 42 C. C. Myers
✓ 1 C. S. Jacobs

✓ 34 Leslie Vanden
✓ 44 J. H. Scaus
✓ 54 M. B. Bradley
✓ 54 Forrest Chamberlain
✓ 54 Z. A. Thompson
✓ 54 E. Woodward Jr.

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✓ 29 W. W. Logan
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✓ 40 P. R. Bates
✓ 41 John Perry

✓ 18 W. K. Deay
✓ 12 R. O. Chambers
✓ 24 W. W. McIlvain
✓ 31 L. E. Long
✓ 31 Fred Parkey
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✓ 42 C. C. Myers
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✓ 44 J. H. Scaus
✓ 54 M. B. Bradley
✓ 54 Forrest Chamberlain
✓ 54 Z. A. Thompson
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✓ 54 Forrest Chamberlain
✓ 54 Z. A. Thompson
✓ 54 E. Woodward Jr.

✓ 18 R. W. Powell
✓ 29 W. W. Logan
✓ 33 W. T. Bare
✓ 40 P. R. Bates
✓ 41 John Perry

Callan Co.

41 H. D. Conrad R. Limer Warsaw.

42 W. B. Graham R. Limer "

43 L. Is Hall D. Limer "

44 E. K. Bailey D. Limer "

45 Joseph Smith "

46 Ira D. Beale "

47 Harrison Co. "

48 James Leach Cynthiana #2

49 W. A. Lenox " " R. F. D. #2

50 J. A. Sanford " " #2

51 F. T. Hendy " " #2

52 Smith Ward " " #2

53 J. B. Daley " " #2

54 J. B. Arnold " " #2

55 J. R. Spradling " " #2

56 W. T. Bradford " " #2

57 J. B. Douglas " " #2

58 James T. Smith " " #2

59 J. H. Loecker " " #2

60 J. Hartman " " #2

61 J. R. Loecker " " #2

62 Edw. B. Cooper " " #2

63 Robt. Moore " " #2

64 J. B. Douglas " " #2

65 J. B. Douglas " " #2

66 J. B. Douglas " " #2

67 J. B. Douglas " " #2

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81 J. B. Douglas " " #2

82 J. B. Douglas " " #2

off Wm. McCoy ok

off J. B. Douglas ok

off J. B. Douglas ok

off J. B. Douglas ok

off J. B. Douglas ok

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Jury check list used by prosecution at my trial showing evidence of "Jury packing" described in the text.

enough for the job,—laboring manfully on the staff of Sawyer Smith, prosecuting attorney in my case.

I never had met Marcum, never heard of him before, did not know him at the trial. The first I ever heard of him was when, in 1925 after the trial, and I was at home ill, I got by registered mail from the Notary concerned, his affidavit reproduced herewith. But as it turned out, the name, Johnny Marcum, represented a young Kentuckian *with a pretty decent conscience*.

I did later recall, that during the selection of the jury a young man, (who it later developed was Marcum) was sitting beside Mabel Willebrandt and District Attorney Smith, with a sheet of foolscap before them, which they were continually checking. Of course at that time I had not the faintest idea as to what they were doing, except I was curious as to the incident.

But, presto! I was destined to discover less than a year later, the thrilling operation upon which they were engaged, and so that the matter may be perfectly clear, I have photo-engraved the sheet containing a typewritten list of the names of the talesmen, upon which their busy pencils were at work, and it is inserted opposite this page. It was this same sheet of foolscap with all the check-marks intact, that was to come into my hands fortuitously and it is now in my possession for all who care to examine it, as well as all the original affidavits I reproduce herein.

MARCUM AFFIDAVIT

State of Kentucky }
Fayette County } :sct.

The affiant, Johnny Marcum, says: That he is 27 years of age, a resident of Louisville, Kentucky, and that for more than sixty days prior to April 15th, 1924 he was on the Prohibition Force working under P. Green

Miller, Division Chief of Kentucky and Tennessee; that on or about the 21st day of April 1924 while in the service of the U. S. Government aforesaid he was detailed and directed by P. Green Miller, Division Chief to report to Hon. Sawyer Smith, United States Attorney for the Eastern Federal District of Kentucky, at Covington, Ky. and subject to the orders of the said District Attorney's Office.

That pursuant to said assignment he did on or about the 21st day of April 1924 report to said District Attorney in his office at Covington, Ky. and there met one Mr. Kennard another enforcement officer under said Miller, Div. Chief, and that said Sawyer Smith, then and there delivered to the said Kennard and affiant a list of names and addresses which he stated a jury would be drawn to try the case of the United States against John W. Langley, et al, and directed the said Kennard and this affiant to take the said list and investigate the men whose names appeared thereon and procure information regarding each man from bankers, ministers, neighbors, members of churches and all and every possible source and report back their findings to the said Smith as to whose who might be lenient or easy jurors or favorable to defendant, Langley, and especially report the names of the men whom they might find by these investigations and inquiries that would convict defendant, John W. Langley—

Affiant further says, that the other defendants who were indicted jointly with the said Langley were not mentioned, and that those jurors who were Democrats, and what kind of Democrats, active or passive, and if Republicans what kind of Republicans, were to be ascertained and reported and, also if they were hard-jurors and against violation of the Prohibition Laws; that from these instructions and the directions and conversations with him with reference to his said findings he understood that any man or men whose name or names appeared on said list, if any, whom he could ascertain that would convict the said John W. Langley under said indictment were to be reported and specially designated.

The affiant further states, that on or about May 1st, 1924, he with the said Kennard, was given another list of names by the said District Attorneys Office, and that the same kind of investigation with reference to the men whose names appeared thereon was to be made respecting the conviction, as he understood it, of the said John

W. Langley under said charge. That no directions were given them as to the other defendants, except as to the violation of the Prohibition Laws Generally.

The affiant further states that he worked with the said Kennard in said investigation, except a few men in Trimble County, and that he made an investigation of these men by himself. That he talked personally with some three of the men whose names appeared on the said lists relative to Prohibition violations.

That after they had made this investigation and reported the politics, kind of jurors and other findings from these investigations, which original list and findings, is here filed and made part hereof, he was present at the selection of the jury at the trial of said Langley, and aided and helped said Smith select the same, and that his duties in so doing was to see that no man got on the jury whom he had reason to believe would not convict the said John W. Langley under said charge.

The affiant further says, that at the time of the selection of said jury to try the said Langley, et al, he noted on the back of said list which was used by him, the names of the jurors so selected, their politics by letters, D—for Democrat, R—for Republican, and the word "active" where such juror was an active politician to which he refers and makes part of this affidavit.

The affiant further states that he makes this affidavit voluntarily, of his own free-will and accord, and that justice may be done the said John W. Langley. That he was directed to keep the said findings secret during the said trial, and did not reveal or inform the said Defendant, Langley, or any one else of his investigations, until a few days ago—Since January 1st, 1925.

Johnny Marcum.

Subscribed and sworn to before me by Johnny Marcum, this January 13, 1925. My commission expires 8th day of March, 1926.

N. P. HOWARD
Notary Public, Fayette Co., Ky.

As a matter of fact all the overt acts charged against me as set forth in the indictment revolved almost entirely about certain meetings which took place in the Seelbach Hotel at Louisville, Ky., on the 17th, 21st, and 27th, of September, 1921, and at the Phoenix Hotel, Lexington,

Ky., September 21st, on which day we had gone over there from the Steelbach for dinner.

As I have already intimated, the prosecution alleged in effect that these meetings represented the maturity of the bribe alleged to be inherent in Mortimer's loans to me and that at such of these meetings as Sam Collins was present I tried, in vulgar parlance, to "put the screws on him," to release 1,400 cases of whisky from Bell of Anderson Distillery, by truck—which was to be accomplished by his supplementary order on a permit which had been secured by bootleg interests.

Of this *original permit* it was not contended by even a scintilla of testimony that I knew anything, or that I had the faintest participation in securing it. All that was charged, and what seems to be my entire alleged culpability—is that I was to *use pressure on Collins to secure his approval of the removal of the liquor by TRUCK*. The testimony of Collins from first to last, as to my complicity, is of the vaguest character, although he was eager to set forth that he refused my alleged "pleadings." Collins never accused me, either by insinuation or innuendo, of the smallest effort to coerce him into *a violation of law!*

So as to cover completely my entire official contacts with Collins, I shall tell the detailed story of same from 1916 to 1922 inclusive. In the year first-named, Collins approached me seeking the appointment of United States marshal for the Eastern District of Kentucky, contingent upon the election of our presidential nominee. I replied that I was willing to do so, and so advised him afterwards in writing. However, the nominee Governor Charles E. Hughes was defeated which temporarily prevented any further action. Some two years later, Collins again appealed to me asking if my original promise was



Author with a crowd of Spanish-American and World War veterans at Hazard, Ky., six months after my trial and shortly before election.

good in the event that we elected a Republican president in 1920. My answer was that I never allowed the statute of limitations to run on my personal promises, and that I would once more back him for the job. The carbon copy of the letter containing that assurance was I regret to state, stolen from my files.

Let me return to the subject of the marshalship by recounting my close acquaintance with Senator Harding as well as Harry Dougherty, his campaign manager, so that I may explain why the marshalship did not pass to Collins. As a matter of fact the half-brother of the man who finally got the job was a life-long friend of mine, and knowing my personal relations with Harding and Dougherty had asked me at Chicago to give him a personal note of introduction to both of these gentlemen. This I gladly did and, in perfect good faith, he saw them both, not aware that I already had promised the place to Collins, but got a promise for his half-brother Roy Williams. I should add that this individual who secured the promise was a district delegate to the convention and turned out to be the "original Harding man" of the Kentucky delegation, and this promise he secured compelled me at the last moment to accept for Collins, subject to his approval, the post of Prohibition Director for Kentucky.

Here I am a little ahead of my story. On a visit made to President Harding on May 28, 1921, I urged Collins' appointment as marshal. The President's reply was that there existed a tentative arrangement to give the Marshalship to another, adding, that the only man who might be able to change the post to Collins was Col. Hert, and he suggested that I go and see him. This I did, repeating the President's words. It was then that Col. Hert suggested that it might be arranged to confer upon Collins the post of Prohibition Director in lieu of the Marshal-

ship. I replied that I would have to wire Collins to see if that would be satisfactory to him, which I immediately did. Collins notified me that this job would be entirely satisfactory to him, but added that he did not want me embarrassed in any way about it, as I had been the best friend he had ever had in the whole Kentucky crowd.

He was appointed to the position on June 18, 1921. These facts confirm my testimony that no one whatsoever had suggested to me or influenced this appointment in any way. And in view of the above facts the most ludicrous part of the lying testimony of Mortimer, was that in which he said, that he was generally familiar with the incidents antedating Collins' appointment, and it was made with his cooperation and in collusion with me for ulterior purposes.

I never as a matter of fact, even saw Mortimer after Hert made suggestion of the Prohibition Director switch, until Collins was actually appointed, assumed office and came to Washington for instructions.

It is well worthy of mention here that in the last personal conversation, I had with Collins, after the alleged quarrel with him at Lexington, I told him that as soon as I reached Washington I would see Col. Haynes and see if I could get him to agree to Collins' request that he combine the office of legal adviser with the assistant Prohibition Directorship and make the salary \$4,000.00 which would justify Judge B. J. Bethurum now Tax Commissioner of Kentucky in resigning the position of Circuit Judge and taking this place. It will be noted in Judge Bethurum's letter, reproduced elsewhere, that he says that he met Collins on Sunday morning in Lexington and Collins said, "Judge, where have you been, I looked all over Lexington last night to show you a telegram from

John Langley to the effect that it had been arranged for you to be assistant Prohibition Director at a salary of \$4,000.00." Judge Bethurum replied, "That he had had a similar telegram from me which he had just received," Bethurum then expressed his wonder that I would be doing so much for him when he was outside my district, and added that he "must be doing it for you (Collins)." Collins replied that I was doing that in part for him, but that they had a suspicion that I was going to run for the Senate next time.

Collins testified that he did not remember a single thing as to any exchange of wires with me about his appointment. Let us examine the facts. When I reached Washington, Col. Haynes had left his office for the day, but early next morning I went up and discussed the matter with him, and he expressed himself favorably towards Collins' proposition. Then he said for me to get a wire from Collins indicating his approval of the proposition. I said, "Shall he send this wire to you or to me? and he said, "let him send it to you and you bring it up here to me." I immediately sent Collins an elaborate wire telling him of the arrangement and of Col. Haynes suggestion that he, (Collins) send the wire direct to me and I would bring it up to him. I got the wire from Collins next morning, embodying what Col. Haynes had suggested that he say to me. I took Collins' wire to Col. Haynes, who called in his assistant, Mr. Jones, and told him to make out the order for the appointment of Bethurum. Could anyone believe that after all these circumstances, Collins could not remember anything whatsoever concerning them?

Recently I got a certified copy of this telegram from Collins to me, but it disappeared from my files and I am convinced that with many other missing papers it was

stolen. After some correspondence with the new Prohibition Commissioner, I finally succeeded in getting from him a new certified copy of the Collins telegram to me, and here it is:

HOUSE CORRIDOR CAPITOL BDG.
PHONE M-3120 BRANCH 251

RECEIVED AT

49 W MY 33 1 EX GOVT

LEXINGTON KY 1024A OCT 3 1921

CONFIDENTIAL

JOHN W LANGLEY

M C WASHN D C

RE TELEGRAM OCTOBER FIRST AGREEABLE
WITH ME TO ABOLISH LEGAL ADVISOR AND
APPOINT JUDGE BETHURUM AS ASSISTANT
DIRECTOR WITH ADDED DUTIES AS SUGGEST-
ED AT A SALARY OF FOUR THOUSAND EFFEC-
TIVE OCTOBER FOURTH.

SAM COLLINS

DIRECTOR

1207 P

Any reader of this book must realize that when Collins showed such a woeful and mysterious failure of memory on the witness stand concerning the wires we exchanged, he was, in view of the proofs here presented, either seeking to evade the facts or swearing to a deliberate falsehood. Indeed, I never ceased suspectin', during the trial, that there was a "nigger in the wood pile" somewhere.

As a matter of fact my private files extending from 1920 to the end of 1922 are filled with telegrams and letters exchanged with Collins exhibiting the greatest friendliness and cooperation on his part despite the fact that Collins was supposed, according to Sawyer Smiths'

declaration, to have had his sense of rectitude mortally shattered at the "conference" at the Phoenix Hotel in September 27, 1921, by my alleged threats and coercions. But, contradicting this gratuitous assertion there does not appear in either Collin's wires or letters before or after this date, a single shadow of spite or resentment. A little way back I have quoted the October 3d 1921 telegram from him, together with extracts from several of his late autumn 1921 and spring of 1922, letters, displaying the most amicable attitude.

In addition to the telegram already quoted, Collins, on November 3, 1921 only a little over a month after the alleged quarrel at which Sawyer Smith stated, that "Sam cried like a baby," he addressed a very cordial letter to Mrs. Langley at Republican Headquarters in Louisville, dealing with certain official matters. Again on March 20, 1922 writing on Treasury Department stationery from Lexington, Ky., he wrote me a letter which opened with the familiar greeting; "Dear Mr. Langley." Once more on April 9, 1922 from Lexington he sent another cordial letter beginning with the salutation, "Dear Langley" begging me in this letter to keep his communication "absolutely confidential." This correspondence certainly does not look like that of a man harboring either a grudge or a resentment. Only a short time after this last letter, on learning that a movement was afoot to nominate another man in my place, Collins voluntarily undertook to scrutinize and combat this propaganda, keeping me continuously advised of his operations. He eventually notified me that the insurrection had come to naught.

As I have already said, perhaps the bitterest of all the bitter blows I received at my trial was the appearance against me, as a Government witness, of this same man

Collins—the man I had known for half a lifetime as a supposed friend. He assuredly was the last man with whom I would have connected the act of a Judas. Sam Collins knew then and knows now, that I was entirely innocent of any conspiracy, or of any attempts to coerce him. Yet, tied to me by an ancient friendship, and what should have been an eternal gratitude for many benefactions, and knowing well the nature of the words he spoke in the witness chair he was pretending to forget facts that must have been indelibly imprinted upon his memory. His offense against me was the ancient one of *suppressio veri*. I shall leave it all with his conscience, and his conscience can never give him any peace so long as he lives.

It is only proper to add, however, that Sam Collins was not always unwilling to extend gratuitous favors. In a letter to me, about 1921, Sam offered to bring to me at Whitesburg a quart of fine old whisky, and he made the proviso in his letter that, should I not be there when he came with it, he would leave the booze in care of Judge Moore, then police magistrate of Jenkins in the same county.

Apparently resolved to permit no limits on his generosity, and still prior to his appointment as Prohibition Director, he wrote me again expressing keen regret that I had not taken up the whisky. And that, assuming I would attend the meeting of the Republican State Central Committee at Louisville, he would be there, and would be sure to have what he always called in his correspondence, "IT" for me!

I've often wondered whether the wisecrackers of 1928 didn't steal from good old whisky-gifting Sam, the famous term, "IT," concerning the quality which the famous movie actress Clara Bow is supposed to possess!

So that the reader may be certain about old Sam's generosity, I shall first reproduce part of one of his "whisky" letters and another in its entirety. (Originals in my possession):

REPUBLICAN STATE CENTRAL COMMITTEE
LOUISVILLE, KY.

February 23, 1921

Dear Friend Langley:

I was very sorry that you and Mrs. Langley could not attend the Lincoln Banquet, but of course I know that it was impossible for you to be there. I had the "message" to deliver, but since you were not there I am holding same, as I feel sure that it will keep (*however it may not age very much in glass*).

SAM COLLINS.

HOTEL DANIEL BOONE
Whitesburg, Kentucky.

Jan. 24th, 1921.

Dear Friend Langley

Your letter which was addressed to me at Frankfort and stayed there several days has just reached me. I was indeed glad to get the copies of all these letters but am sorry you are having so much of this to contend with. I know it is enough to run a man almost crazy, but I hope everything will work around all O. K. in the future and that I will be able to repay you for all this untiring effort on your part to try to help me land this job.*

Before I received your last letter I had made arrangements with Charlie Harris who lives in Head of Ky. river about two miles from Jenkin's to get a G— of good and keep it at his house until you call for it, he is willing for you to send Oscar Blunis of Jenkin's for it. Oscar knows this man and will go any time you call on him. I am only telling you this in case you should ever run up home and not be able to get in touch with me. Of course when I am here I can get it to you myself, meet you at Jenkins, but I thought you would

* Let me explain that the job Collins refers to at end of first paragraph was that of Marshal, which I tried hard to secure for him but it went to another.

be glad to have some way out in case you could not find me.

If you should come to the Linc-Banquet at Louisville I could bring you some there.

Let me know just when you think you can be in Ky. and I will arrange to get it to you some place.

Nothing interesting in Political lines at present.

I am rushing to get this off in first train.

Best wishes to you and Mrs. Langley, I beg to remain,

Your friend,
SAM COLLINS.

As the Volstead act was then in force Collins could no longer have been under the tutelage of His Honor.

As a matter of fact I didn't want and didn't accept Sam's liquor despite all his pleadings, and would have refused it had he brought it personally to me, at that or any other time.

That Sam Collins was probably always full of concealed animosity to me appears painfully clear from certain data in my possession.

The late Felix G. Fields, of Whitesburg, Ky., wrote me a long letter, supplementary to many personal reports. I quote from my dead friend's communication:

"I saw both Kinnaird and Marcum about the investigations of the jurymen, which Kinnaird admitted making, but would not disclose methods. He went direct to Sawyer Smith and told him that I had asked him about it and also told Marcum about my asking him. Smith told him not to talk about the subject and to so caution Marcum. . . . I was told the investigators inquired from neighbors and acquaintances of the jurors, also were finding out the leanings of the jurors and whether or not they were 'wet' or 'dry' and what they thought of the Prohibition act and enforcement!"

Fields was with Collins and myself part of the time on September 27, 1921, a day on which Collins swore he

never saw me, and during our talk I said to Collins: "Sam, I do not want you to do anything contrary to law, or your instructions or your own judgment!" After I left Collins and Fields together on this occasion Collins' remarks to Fields confirmed all I state elsewhere relating to his request to me to get the posts of Assistant Prohibition Director and Legal Adviser combined so he could give Judge Bethurum more salary, and that Bethurum had decided not to resign as Circuit Judge, unless he could get more than \$3,000.00—also that Collins told Fields he had a wire from me at Washington, stating the arrangement. This was October 4, 1921, *seven days after the alleged quarrel between Collins and me!*

Fields told me that Mortimer had promised him help in Letcher Co. for both himself and Collins, that Collins knew it and was anxious about such assistance. Collins repeated to Fields that he "knew nothing against me"—making this assertion not only to Fields but to Mrs. Langley, Judge Price and others.

Fields said to me again and again, I particularly recall, that while he was in the Assistant Prohibition Directorship under Collins, Sam "treated me like a dog."

Meeting Fields one day on the way to my train, he volunteered to give me upon my return a written statement covering all I have quoted above, and much more. But, unfortunately, before my return he had suddenly died.

Referring to Mortimer's offer of assistance to Fields, it was the prosecution's emphatic contention that it would be perfectly absurd to suppose that Mortimer could have any earthly interest in Kentucky local politics. Yet on page 219 of the Transcript of Record, we find Collins testifying, under direct examination by Sawyer Smith as follows:

Q. Tell what occurred there between you (when Mortimer came alone to Collins' office)?

A. He said that he was going or was willing to contribute \$12,000.00 to the campaign fund.

I also quote from Felix G. Fields' testimony from pages 376-377 Transcript of Record:

A. I reminded Mr. Langley that Mortimer had talked to me extensively about the political situation in Kentucky. He said he was a representative of some big interest in the south, had plenty of money to help me in a financial way in any campaign going on in my neighborhood.

It is proper that I should clarify matters, at this stage by explaining that during my entire period as Congressman I was in desperate financial straits, due to pressing past obligations, the heavy expense of my election campaigns, and the frightful burden of maintaining a proper social status at Washington. I owed large sums of money and I am frank in stating that I do not know what I could have done had Mortimer not offered me the loans at the time described. And it was not after all so strange that despite all my efforts to take up the notes, a repayment of \$2,800.00 on same was all I was ever able to accomplish, except the money amounting to about \$3,000.00 additional which he gave me for campaign purposes. Not for myself, but to help friends of his to whom he had made promises. This I did with the understanding that we were to settle when we got back to Washington—and that I was to pay him in cash whatever balance was due him. I refer to the notes of hand a little farther on.

It is indeed significant that there is not one word of direct testimony from which the most attentive reader could infer that I, at any time in any place, or by any expression, gave any hint that I was endeavoring to fulfill the alleged purpose of the alleged bribe paid me by

Mortimer in the form and substance of these notes of hand.

Despite the tragic environments, I could not repress a feeling of amusement as I heard the prosecution charge that I had banked "in time" \$115,000.00 in Washington.

I might mention that the prosecution had present in the courtroom the representative of seven or eight different banks—to every one of which I was indebted, in Pikeville as well as in Washington!

By Sawyer Smith, prosecuting attorney:

"We will show you that Langley had plenty of money; that he got \$7,500.00 as a Congressman. We will show you that in time he put in the bank on that salary of \$7,500.00, \$115,000.00. We will show you that by the bank records, either in his name or his wife's name. Then we will tell you how he told those fellows down at the Seelbach he needed some money."

The Court excluded this statement from the record, and well might the Court do so, its implications were so preposterously false. It was lucky for the "accountants" whom Sawyer Smith professed to have that they were not permitted to testify to the despicable, innuendo contained in the charge but it no doubt had its intended effect on the jury.

Why, I might have had \$5,000,000.00 as credibly "in the bank" during the "time" referred to! What the prosecution failed to mention and what happens to numberless men overwhelmed with pressing debts as I was, is this: They deposit money in a bank and for safekeeping and to be able to pay it by check—and the money may not remain in a bank over 24 hours! Thus was it in my case. My bank records will show that I was forced to check out my deposits for obligations almost as soon as they were made. During all my years of serv-

ice at Washington, I do not now recall that I was able to maintain, longer than a single week, a balance in any bank exceeding \$500.00.

So that was the horrifying "mare's nest" the "able" Sawyer Smith discovered!

I have many more things to charge against Sawyer Smith than mare's nests. I charge him with being a party to "packing" the jury at Covington against me. I charge him, among many other false statements in his above address to the jury, with the statement that Sam Collins would testify that he and I had had such a violent quarrel at Lexington that Sam broke into tears and left the room. The testimony will show that Sam Collins *did not so swear even by insinuation*. I ridicule his statement to the jury that he would prove that myself, my wife, my brother Ernest and his wife were Mortimer's guests at the prize fight in Jersey City, in 1921. I point out his statements to the jury that he would bring out certain evidence, never thereafter presented. I call reckless his statement to the jury that he would prove that I had no business in Kentucky at the time of the "conferences" except "helping these fellows." This was the beginning of a new administration, I was there frequently on urgent official business and the hotel meetings, forced upon me, were simply an incident of my trips.

I also know it was common talk that he and Ernst, aided by Mrs. Willebrandt deliberately shifted my trial venue to Covington to perfect the certainty of my conviction. I had offered to be tried at any one of five courts near my home, but he refused this request, making the following statement: "You may as well try him at Pikeville as one of these places, and of course you could not convict him there." He knew how well known and respected I was at these places. "

I have often wondered whether Sawyer Smith's virulent attitude was not caused by the fact that in 1921 he had besought me to aid him in securing the position of U. S. Attorney in the Eastern District of Kentucky. I might explain that it was impossible for me to do this, as I could distribute only one leading appointment in my district and I had continually promised the marshalship to Sam Collins from the year 1916 until June, 1921 when he was finally given the Prohibition Director's Post.

Sawyer Smith's hatred towards me is well illustrated by the following authentic report. A few days after my trial he was up at Lexington, Ky., strutting around with an exultant air over having secured my conviction. He remarked to a group about him that this victory would elect him Governor of Kentucky. Someone interjected:

"I wonder how and where you expect to get your votes? You can't get them from the mountains where John Langley was born and reared and where everyone has known him from his cradle up as an honorable upright citizen!"

All those present gave unmistakable evidence of their approval of this statement.

THOSE "CONFERENCES"

There was a mass of confused and contradictory testimony by Mortimer as to the famous hotel "conferences" at Louisville and Lexington. In one instance where the conversation relating to the trucking permit was between Mortimer and Collins, Mortimer swore that I was present, but Collins gives him the lie by swearing that I was not. Mortimer swore that a few days later, he asked me to go to Lexington to see Collins again about the trucking permit, that we went and it was discussed with Collins.

But Collins gives him the lie again by swearing that he did not know whether the subject was brought up by myself or Mortimer.

To give a specific idea of the character of this descendant of Ananias, occupying the witness chair, please note the following extract from the Transcript of Record:

Q. (By defense attorney) I will ask you if you stated before that time, under oath, that "we had Collins in Kentucky, had McKean in Pennsylvania, had Budnitz in Maryland, those are the three key states." Did you make this statement?

A. I think so.

Mortimer's testimony is so studded with contradictions, evasions and reckless or deliberate lies throughout, that it would take twenty pages of my book to quote and expose them. However I shall find room for a few samples and my eye first catches pages 295-296 of the Transcript of Record. The arch-fabricator is under cross-examination by one of my attorneys:

Q. I ask you, Mr. Mortimer, if you had any unlawful transactions with the withdrawal of whisky from the Edward Robinson Drug Co. of Baltimore—if you ever received any money from Mr. Robinson in connection with that illegal liquor transaction?

A. Yes, I got \$7,000.00.

Q. How was the thing done?

A. I was just to collect the money.

Q. What did you give the money for—for the purpose of bribery?

A. Absolutely.

Q. You mean that?

A. Yes, absolutely.

A little farther down on page 296:

Q. Mr. Mortimer, is there any indictment pending against you now in any part of the United States?

A. Yes, sir, Southern District of New York.

Q. Are there any other indictments pending against you in any other part of the United States?

A. There are none.

As a comment on this astounding statement, the reader is referred to the compendium of indictments against Mortimer and to Detective Agency's reports on preceding pages.

Let one significant truth be credited to this paragon of mendacity. I set forth clearly herein, that Mortimer had no knowledge even of the existence of Sam Collins before he was appointed Prohibition Director of Kentucky, and my contention is supported by Collins himself, who testified in the following words: "I don't recall having seen Mr. Mortimer before I was appointed." Nevertheless the record tells a different story.

Q. Mr. Mortimer, can you fix the time when you made some arrangement with Mr. Langley concerning the appointment of Mr. Collins?

A. I was down in Mr. Langley's office very nearly every day.

Q. Please try to fix the time.

A. I cannot give a definite date. I was down there nearly every day and we talked the matter over.

THE COURT: Had Collins ever agreed with you that he would do anything?

A. Absolutely not, no.

Here I recall that, sometime during the winter of 1921-2, (the exact date I cannot recall) a distinguished Kentuckian came to Washington and told me that Mortimer had been instrumental in securing whisky from the Belle of Anderson Distillery through forged or expired permits. I told Mortimer on his return to Washington, that the report had distressed me because I had introduced him down there as a gentleman and was very sorry to hear this. He said that a lot of d—d Jews had, he understood, pulled off something crooked down there in Kentucky, and that only a few days ago he met one of them on the streets in Philadelphia and, was told about it and added that Mortimer's share of the profits was in some bank, the name of which I cannot recall, and

Mortimer could go and get it if he wanted it. Mortimer told me that he said in reply to this offer that he did not want the money, he did not propose to be mixed up in any such affairs as that! One of my attorneys, Judge Davis, told me some months afterwards that I made a great mistake in not telling him and his associates about it, so that at the trial, he could have interrogated one of them concerning it. I replied to Judge Davis that I had been so distressed over the perjury at the trial that I forgot all about the other incident.

With regard to loans from Mortimer I wish once and for all to make the following statement of fact:

One of the notes, for \$1,200.00, I paid in full together with protest fees, to a Mr. McDonald, then in Washington, but said to be a native of the Coast, who advised that he had bought that note and another for \$2,500.00 from Mortimer. I told him that my understanding had been that the \$2,500.00 note was to be renewed, but as he was a disinterested party on that point, he said, and needed the money, he would have to insist on payment. I asked him to wait a day or two and I would see what I could do. In two or three days I was able to borrow some money by hypothecating one of my life insurance policies with a Washington bank and I thereupon paid McDonald \$1,000.00 on the second note, telling him I would pay the balance as soon as I could raise it. Later we put an additional mortgage on our home and paid \$600.00 more on the note.

That was the last I ever heard of McDonald, except I did hear in a roundabout way that he was a fellow of the same stripe as Mortimer, but I cannot prove this.

Mortimer wrote me he had sold these notes, and could not renew them, and he swore he had sold them, but on

cross-examination admitted he had not sold them but was simply employing McDonald to collect them.

Would not this heroic effort, in my almost impoverished condition to clear off the notes due Mortimer, be a sufficient and crushing proof in the eyes of any fair-minded man, that my dealings with Mortimer were legal and righteous?

Let me emphasize—for it is the very core of my vindication—that all the much-stressed hotel “conferences” were wholly and solely to discover from Collins if removal by *TRUCK* of any lots of whisky was *permissible* at that time under the rules and regulations of the Volstead act.

Moreover, as appears in the testimony, it was several months ere I even saw Sam Collins again, following the final “conference” at Phoenix Hotel, Lexington, on September 28, 1921.

It was after this final meeting in the Phoenix, however, that Mortimer sought out Collins and, as revealed in the testimony, personally tried to bribe him to release the whisky by *TRUCK*. That attempt is understood to have failed. In this connection, by the way, let me quote from the Brief for Plaintiff in Error, prepared by my distinguished counsel, Hon. Henry E. Davis:

It results, beyond the possibility of a doubt, that Langley never had any relation whatever to the conspiracy charged by the indictment, and that that conspiracy was new and original with the abandonment of effort to influence Collins. What a flood of light might have been thrown upon this by Eichenberg who, although omitted from the indictment, was not put upon the witness stand!

It is as clear as fact can make it that I, indeed, had “no relation whatever to the conspiracy charged,” and that whatever relations existed between Collins and

Mortimer or between either and anyone else named in the indictment PRECEDED THE CONSPIRACY THEREBY CHARGED! My own efforts were confined entirely to the endeavor to ascertain the general attitude of Collins towards TRUCK shipments, even though this endeavor arose at the more or less—and totally unsuspected—instance of Mortimer, with his possible or probable personal interest in the matter. And whatever exertions I made in his behalf were frustrated at the outset by the positive stand of Collins, which abruptly and finally eliminated him from further consideration!

I am very anxious to reproduce here part of a letter, original in my possession, signed by one of the most eminent citizens of Kentucky. It is at his request that I omit his signature. Let me add that the writer told me he is willing to furnish many other damning details, if the occasion should ever arise for them:

. . . Immediately after that Grand Jury investigation in Washington City, in which some reflection was attempted to be made upon you, Senator Ernst hurriedly left Washington and came to Covington for conference with Sawyer Smith and returned to Washington taking said Smith with him, and while there Smith laid the ground work for your prosecution at Covington. Now you can with safety, charge Ernst with being at the bottom of the whole diabolical scheme to overthrow your power at Washington, by using discredited and disreputable crooks as witnesses.

One of the reasons why I quote from this letter is that I want here to describe the part which ex-Senator Richard P. Ernst of Covington has played in my case.

Ernst and I have never been special friends. He was a candidate for the Republican National Committeeman in 1908; three Kentucky Republicans, one of whom is dead and the other two who are still living, were so bitter against him that they told me that if I did not

use the power which I had to help defeat him for that place, they would oppose me for reelection to Congress, even though I was the Republican nominee. This meant much to me in view of the fact that my district was so heavily Democratic, that I could hardly hope to win with these three powerful Republicans against me. I did defeat him, using all honorable means to do it. That is the only wrong I ever did Senator Ernst. He did not speak to me for six years after that. In 1914 I was in Ashland, Kentucky, and he was a candidate opposing ex-Governor Willson for the Republican nomination for U. S. Senator. He came up to me and shook hands at a Republican conference there. I then said to him, if he would forget about what I did six years before, and call it all square, I would support him for the nomination. He laughingly and heartily assented. I did support him, but he was defeated. Although Ernst was then and still is a multi-millionaire he contributed to the campaign fund the sum of only \$50.00, took hay fever and went west where he remained until after the election. He has never been my friend since. When he realized that Mrs. Langley could testify in Washington, but not in Kentucky he used every desperate means to shift the venue to the latter place. That was why he came to Covington and conveyed Sawyer Smith back to Washington, and following that, they hastily drew a new indictment in Covington where they felt they could erect a nice comfortable gibbet for me, and as they thought remove me forever from their path.

After using all his machinations against me, he did some things which I or any other honorable man would have scorned doing. In 1920 he was nominated by the Republicans and elected U. S. Senator. Mrs. Langley and I both did everything in our power for him in that

campaign. In 1926 he was renominated for the Senate. There were hundreds of men in the district who were declaring that they would not support him because of his treatment of me. And I sat in prison at nights working sometimes into the morning hours, writing letters to these anti-Ernst republicans, they having sent a list to me from the 10th District, and also outside counties. Many of them replied that, although they detested Ernst they would support him on my account, while others said they would do any other favor for me in the world, except vote for Ernst. I asked them to support him because we needed two republicans from Kentucky, in the Senate.

I was due to be paroled in September. I have since learned, and it came from Mrs. Langley herself, that Ernst came to her and finally persuaded her to agree to let me remain in prison until after the election, for fear my release before then might defeat him for the Senate. When as a matter of fact my release, with him taking the credit for it, might have assured his election. Be that as it may, he utterly failed and refused to take any steps in my behalf, and when he was telephoned in Washington by a certain Congressman whose name I can give if necessary, that a delegation was to see the Attorney General about my parole, and asked him to go along, he exclaimed: "I'll be damned if I do!" I firmly believe that *to this refusal of Ernst's was largely due my three or four months additional incarceration at Atlanta.*

Perhaps the good old Senator's unfriendly acts might be partly explained by the fact that I went to the President in 1923, over his head, and got the approval of the order for the Government Hospital at Pikeville, because I remember that only a few days thereafter Ernst said to me: "There is one thing about it, I am in the Senate for two years yet," and I am reminded, that he now has

Now, therefore, be it known, that I,
Calvin Coolidge, President of the United States of
America, in consideration of the premises, divers other good and
sufficient reasons me thereunto moving, do hereby
grant unto the said John W. Langley a full and unconditional pardon for the
purpose of restoring his civil rights.

In testimony whereof I have hereunto signed my
name and caused the seal of the Department of Justice to be
affixed.

Done in the District of Columbia this **twenty-second**
day of **December**, in the year of our Lord
One thousand Nine Hundred and **Twenty-eight**, and
of the Independence of the United States the One
Hundred and **Fifty-third**.

By the President:

John W. Langley
Attorney General.

Calvin Coolidge
President

My pardon signed by President Coolidge, Dec. 22, 1928.

been out over two years and the name of Langley is still on the Congressional roll.

I have already shown the character of Mortimer (originally Muscovitz) forger, passer of worthless checks, trickster, wife beater, professional informer, chronic "immunity" witness and inveterate criminal.

It is, whether right or wrong, a rule of Federal procedure that no matter whether a witness be "saint or sinner" he may still be heard, and his credibility left to the determination of the jury. So Elias H. Mortimer sat in the witness chair and full rein was given to his lying proclivities.

Well, in my trial, either one of two things happened. The jury was an impartial one—and believed him. Or the jury was prejudiced, indeed a "packed" panel as the foregoing affidavits would tend to show, didn't believe him, and would have convicted me anyway.

There is no escape from the horns of this dilemma. Under either set of circumstances the spectacle was a sad one. For myself it was a situation full of inexpressable helplessness and tragedy.

I now present my own and P. W. Day's affidavits, which speak for themselves:

State of Kentucky ss
County of Pike

Jno. W. Langley of Pikeville, Pike County, Ky., being duly sworn deposes and says that some time ago he was told by a prominent lawyer and citizen of Eastern Kentucky, whose name he is not for the moment at liberty to give, that Sawyer A. Smith, United States Attorney for the Eastern District of Kentucky, approached him and said, calling his first name, . . . "I do not think you ought to be saying the mean things I have heard of you saying about me. We ought to be friends." To this the man replied: "I am your friend." Smith replied: "I know what is the trouble with you. You do not like the way I prosecuted John

Langley." To this the man replied: "No, I do not think you did right in sending out men to find out how the men whose names were on the jury list to see whether these men were for or against Langley." To this Smith replied: "I have a right when I am prosecuting a man to find out that the men are against him before I allow them to go on the jury." To this the man replied: "A man who would thus try to set up a jury who is to try a man charged with a felony is nothing but a common criminal and if you did that you ought to be sent to the Federal penitentiary yourself for the balance of your life." I met this same man at the Kentucky Capitol building on June 25, 1929, and we both witnessed together the taking of the oath of Jas. A. Scott as State Highway Commissioner. Mr. P. W. Day of Pikeville, Ky., came up at the moment and I said, "Pete, I wish you would listen to what this man is going to tell me," and he did. The man repeated almost word for word the conversation above set out. He then said: "I have reasons for preferring that my name be not used just now in this matter, but I authorize you to state it in your book and dare Smith to deny it. If he does you may say that I will come out in an affidavit and tell the facts as I have stated them to you here."

JNO. W. LANGLEY

Subscribed and sworn to before me by Jno. W. Langley, this the 2nd day of July, 1929.

Earl Scott, Clerk

Pike Circuit Court

By E. B. Blackburn, D. C.

State of Kentucky ss
County of Pike

The affiant, P. W. Day, says that he is a resident of Pikeville, Ky., and holds the office of Trustee of the Jury Fund of Pike County; that he has lived in Pikeville for nearly twenty years; that I went with a delegation from Pike County to Frankfort, Ky., to witness James A. Scott take the oath of office as State Highway Commissioner which took place on the 25th instant; that while there I met an acquaintance of mine who was in conversation with Jno. W. Langley. My attention was called by Mr. Langley to what this man had to say to him. Naturally my attention being called to the matter in this manner, I was careful to note what was said. I have just read a proposed affidavit of Mr.

Langley as to what this conversation was and the affidavit, a copy of which I have in my possession, contains the exact conversation as I remember it.

P. W. DAY

Subscribed and sworn to before me by P. W. Day, this the 2nd day of July, 1929.

Earl Scott, Clerk

Pike Circuit Court

By E. B. Blackburn, D. C.

In order to show the character of man that Sawyer Smith undoubtedly is, I invite attention to my own affidavit and that of P. W. Day immediately preceding. From which it appears, among other things, that Smith said to a certain man with whom he was conversing that he "had a right to find out before allowing a man to go on the jury that that man would vote to convict anyone that he (Smith) wanted convicted." The answer made by Smith's companion—whose name for the moment I am not authorized to disclose—was: "If you did that in the Langley case, it was the act of a common criminal, and you ought to be in the penitentiary yourself for perpetrating such a crime, for the balance of your life."

The gentleman who reported the above conversation to me, in the presence of Mr. Day, authorized me to use it and dare Smith to deny its truth, and if Smith ever did that this man said that he would then immediately embody his statement in an affidavit reporting the entire conversation exactly as it occurred. I therefore make to Smith this open, unconditional challenge, and he can choose either horn of the dilemma—deny it and take the consequences, or else frankly admit that he was a party to the brazen jury-packing at Covington. I wonder is Smith familiar with the old aphorism about "telling the truth and shaming the Devil!"

I shall now introduce verbatim copies of three affi-

davits, the originals of which came to me without solicitation, and which are now in my possession for the inspection of anyone who cares to see them. I shall make no comment here on these impressive documents, because it is not necessary. All I ask is that the reader shall carefully read, and conscientiously weigh them:

State of Kentucky ss
County of Letcher

The affiant, Fess Whitaker, states that he is a citizen and resident of Blackey, Letcher County, Kentucky, and has lived there forty-five years, all of his life; that he has been jailer and County Judge of said county; that he has served one term in the Spanish-American War and one in the Regular Army, his total service in both aggregating five years. He further says that Mrs. Sam Collins, the wife of the Prohibition Director for Kentucky, is his niece; that during the trial of Honorable John W. Langley in the Federal Court at Covington, Kentucky, in May, 1924, the said Mrs. Collins was staying at my home at Blackey, Kentucky; that her husband sent her telegrams, letters and newspaper clippings every day during the trial; the trial of Langley was a daily subject of conversation between Mrs. Collins, himself and his family; that she daily expressed her extreme anxiety for Langley's conviction and was extremely impatient to hear from her husband as to the progress of the trial and showed by her talk and manner that both she and her husband were most anxious to see the said Langley destroyed politically and put out of the way of the said Collins. I frequently expressed my surprise to her that she and her husband could be so bitter against Mr. Langley when he had done so much for them and that they ought to at least be fair to him and in reply to this she would repeat it was their hope and wish and determination to get said Langley convicted and out of their way. These expressions were repeatedly made by her daily until the trial was ended and when she received a message from her husband that Langley was convicted she shouted and rejoiced.

FESS WHITAKER

Subscribed and sworn to before me, a Notary Public

in and for Letcher County, Kentucky, this the 2nd day of February, 1925, by Fess Whitaker.

Herman Ison

Notary Public

My commission expires February 27, 1928.

United States District Court for the Eastern District of Kentucky.

State of Kentucky

County of Bracken

The affiant, J. K. Miller, says that he is a resident of Pendleton County, Kentucky, and that Falmouth, Kentucky, is his Post Office address; that he is 50 years of age and a farmer by occupation.

He says that he was one of the jurors who tried John W. Langley and others in the U. S. District Court at Covington, Ky., at the May term, 1924, of said Court.

He further says that on the first day of the said trial and soon after the first evidence had been introduced some of the jurors began to make expressions about the case and would say to this affiant that we have our old friend Langley; it looks like he is guilty. This affiant further says that when the jurors would make such expressions he would turn away and try to keep from hearing what such juror was saying, but that this same effort on the part of the juror kept up during the trial, a number of times before the case was finally submitted to the jury.

This affiant further says that he believes that the juror who was making these efforts to impress upon this affiant that John W. Langley was guilty during the taking of evidence had his mind made up as to what kind of a verdict he was going to render against Langley long before the evidence for the plaintiff was closed, and that this same juror took the lead once when the case was finally submitted to the jury and showed much interest and made an unusual effort to have the jury do what he wanted done at once.

This affiant further says that there was exhibited during the discussion of the case by the jury on the part of some of the jury an unusual desire to convict Langley and at times showed an unfairness and an especial desire

THEY TRIED TO CRUCIFY ME

to convict Langley regardless of the judgment of the other jurors, and that there was a partisan feeling shown, especially against the defendant Langley.

Given under my hand this 13th day of October, 1924.

J. K. MILLER

Subscribed and sworn to before me this 13th day of October, 1924, by J. K. Miller whom I certify to be credible.

J. H. Monaghan

Clerk of the Bracken County Court

By D. A. Blades, D. C.

United States District Court for the Eastern District of Ky.

State of Kentucky

County of Harrison

The affiant, John E. Spradling, says that he is a resident of Harrison County, Kentucky, and that Berry, Kentucky, is his Post Office address; that he is 52 years of age and is a farmer by occupation.

He says that he was one of the jury that tried John W. Langley and others in the U. S. District Court at Covington, Ky., at the May term 1924 of said Court. He says that after this affiant was accepted on said jury together with eleven other men the District Attorney, Sawyer Smith, made the opening statement in the case and after Smith was through and before the evidence was all in some of the jurors stated that Langley was guilty, that during the trial the Deputy Marshal who had the jury in charge stated to and in the presence of the jury that "John W. Langley was guilty and that there was no question but what Langley was guilty." He made these statements at least as often as twice to the jury. I took it, from what he said and his actions and demeanor to indicate to me that he was taking an undue interest against Langley.

This affiant further says that some of the jury indicated in their discussions and voting that they would willingly acquit Slater if it took that, to get a conviction against Langley. The affiant says further that during the trial and before the case was finally submitted several of the jurors stated at different times in considering about the case that John W. Langley was guilty and the Deputy Marshal who had charge of the jury did openly and freely express himself and at each time he

so discussed it with the jury he would say that Langley was guilty.

The affiant further says that he believes that the statements and the demeanor of the Deputy Marshal who had charge of the jury and was an officer of the Court had a great deal of weight in causing the jury to return a verdict of guilty against John W. Langley, as this affiant believes.

JOHN E. SPRADLING

Subscribed and sworn to before me by John E. Spradling in Harrison County, Kentucky, this the 13th day of October, 1924. The said witness is a person well known to me and is perfectly credible and is worthy of belief.

My commission expires March 8, 1928.

W. W. Van Deren

Notary Public, Harrison Co., Ky.

It is perfectly clear that the money loaned me by Mortimer was endeavored to be represented as a bribe, although the proof of that charge came out only in the most supposititious, vague and unconvincing manner.

It is interesting at this point to describe the origin of my friendship with Mortimer.

About the time that President Harding was inaugurated, some Maryland member of the House introduced Mortimer to me. Later as I sat in my Committee room one day, with the door open, a gentleman walked in and reintroduced himself as Elias H. Mortimer. Mrs. Langley was with me, I introduced them, and we three had a chat. Mortimer boasted of his acquaintance with the President and some members of the cabinet, which was the main subject of our conversation. When he left he remarked that he hoped to have the further pleasure of our society, that he and his wife were living at the new Willard Hotel, and that he would like to have Mrs. Langley and his wife know each other. I noticed that he drove away in a very impressive car.

A few days later he came again into my office, with a friend whose name I do not remember, at which time we discussed briefly political conditions in Kentucky. Mortimer expressed the opinion that if the proper efforts were made, Kentucky might become a Republican state. During the conversation, he stated he was connected with Kuhn, Loeb & Co. of New York. Also was in the coal business. This interested me, and I told him I had some share in a coal corporation near my home at Pikeville, Kentucky. Before he left he invited Mrs. Langley and myself for a motor trip.

I cannot recall how often I saw him following this, often running into him accidentally in the House building. But it was often his habit to drop in the office and we came to regard him as one of our good friends, being impressed with his evident gallantry and refinement.

One day he asked me how well I knew Millard F. West, then acting Commissioner of Internal Revenue. He said he would like to meet Mr. West to find out from him what was the practice of the Bureau with regard to liquor withdrawals under the Volstead act, as he represented some men who had large amounts of whisky in bonded warehouses in Kentucky and other states. I said I would be glad to introduce him to Mr. West which I did. I recall that Mortimer had a memorandum of liquor holdings in Kentucky and other states. Something was said about the law and regulations governing drug store permits, but I forget the details. Mortimer's matters were taken under advisement by Mr. West and Mr. Kraemer, as I remember. Later Mortimer asked me if I would kindly discover what steps had been taken, which I did, and told him that there seemed to be some hitch in the matter, and Mortimer afterwards told me they had decided against him.

About the first of June thereafter Mortimer again came in my room, discussing Kentucky politics with myself and Mrs. Langley, and the matter of my coal interests came up again. I said I had thought of selling my shares in order to get relief from our chronic financial embarrassment, although Mrs. Langley protested that it would be better to hold on to these for our children if possible.

At this point, and to my great surprise, Mortimer assured me there was no need of sacrificing our coal property as he had a large amount of idle money in some Washington banks and would gladly loan us whatever we needed to tide us over. He added, "I am in the coal business and know all about it and Mrs. Langley is perfectly, right." I then explained that we would need, I thought about \$6,000.00. He rejoined: "All right!" to give him my note for this amount, which I did, offering Mrs. Langley, on account of her owning a separate estate, as a co-signer—which he said was unnecessary. I received the full \$6,000.00 in cash from him by the next day. We of course, thanked Mortimer profusely for his generous kindness telling him what a godsend the loan was to us, and how fortunate we were to find a friend in time of need.

One day in July, 1921, I made the opening address on the White House grounds, at an Elks affair introducing Congressman Rodenberg, the principal speaker. After I had finished I was approached by a boy who said some people in an automobile nearby wanted to see me. Going over I found Mr. and Mrs. Mortimer with Gen. and Mrs. Lejeune. I conversed with them a moment, then excused myself to go back and hear Rodenberg. Mortimer asked if Mrs. Langley was there, as he wanted them to become acquainted. I said she was not. When I told

her later about the incident she said: "No doubt that was the Lejeune's, I guess we made a mistake in not going to their party. Any persons who are intimates of the Lejeune's are worthy of the fullest confidences."

HIS PERJURY ABOUT THE FIGHT

We saw Mortimer intermittently afterwards on one of which occasions Mrs. Langley first met his wife. I now come to the time of the Dempsey-Carpentier prize fight in Jersey City. Mortimer testified that he had invited to this fight myself, Mrs. Langley, my brother Ernest, Sam Collins and several others.

I quote from page 186 of the Transcript of Record:

Q. Are you positive Mr. Collins was at the fight?

A. He was invited. Mr. Felix Fields was up at the fight.

Q. Who else was with you at the fight?

A. Mrs. Mortimer, Congressman Zihlman, Congressman Langley, Ernest Langley, Herman Giltseiler, J. E. Delancey, myself and one other gentleman, Sidney Beiber, of Washington, D. C.

But when Sam Collins took the stand he testified he *had never gone any farther towards the fight than Washington*, and I myself testified, without contradiction, that not only had Mrs. Langley and I refused his invitation but that tickets had been given us by my brother Ernest, whose guests we were, and we never saw, or heard of Mortimer either going to the fight, at the fight, or coming back.

Right here I wish to present a concrete example of the malignant duplicity with which I have already charged Sawyer Smith. Despite the fact that my own testimony on page 337 Transcript of Record, contains a complete contradiction of Mortimer's statement regard-

ing the prize fight at Jersey City, yet Smith on page 32 of his brief for the United States Circuit Court of Appeals states as follows:

"Langley admitted he attended this prize fight with Mortimer."

Let the following affidavit (original in my possession) give the lie to Sawyer Smith the prosecutor and Elias H. Mortimer the prevaricator:

AFFIDAVIT OF ERNEST S. LANGLEY

ERNEST S. LANGLEY, being duly sworn, deposes and says:

THAT his attention has been called to that part of the Printed Record in the trial of John W. Langley at Covington, Ky., in 1924, wherein one of the witnesses, Elias H. Mortimer by name, testified that on the occasion of the Dempsey-Carpentier prize fight at Jersey City, on July 4, 1921, he had taken as his guest to that fight, and paid for their tickets, myself, John W. Langley and Mrs. John W. Langley, and that we three accompanied him to and consorted with him at said prize fight at Jersey City, N. J.

WHEREAS it is the fact, and I do so swear, that I, myself, invited Mr. John W. Langley and Mrs. John W. Langley to be my guests at said prize fight, that I furnished the tickets for them to go and see the fight, as my guests, and that, neither on the way there, nor at said prize fight, did any of us lay eyes upon or communicate with said Elias H. Mortimer. Mortimer not even being known by either acquaintance or sight to me personally. And that immediately after the fight Jno. W. and Mrs. Langley went with me directly therefrom to my home in Long Island, where they remained for about one week, then returning to Washington. Nor, to the best of my knowledge and belief, did John W. Langley or Mrs. John W. Langley either ever see or speak to said Mortimer on the return trip from Jersey City to Washington, D. C., nor were any of us even aware at any time that said Mortimer, as he represents, attended said prize fight.

IN WITNESS WHEREOF, I hereto sign and affix my

name this sixteenth (16th) day of July, in the year of our Lord, nineteen hundred and twenty-nine (1929).

E. S. LANGLEY

Richard Jackman
Notary Public No. 3
N. Y. County

I believe I am pretty well to the end of this tragic story of intrigue, mendacity, and crucifixion. However, I would like to approach its close with a transcript of my final plea before sentence by Judge Cochran:

"MAY IT PLEASE YOUR HONOR:

"As I look your Honor in the face and stand before my God, I am innocent of the offense charged against me by either the indictment or the evidence given in support of it.

"Until the disclosures leading to the indictment and the finding of the indictment itself, I never heard of any such conspiracy or anything causing me even to suspect it. When I talked with Collins I had no other thought than to find out, for a man whom I considered a friend, and in whom at the time I had every confidence, what was or would be his attitude and action respecting shipments by truck of liquor to be lawfully withdrawn. After Collins made his position clear, I dismissed the matter from my mind and thereafter had no relation of any kind whatsoever thereto, and returned to Washington to resume my work.

"But there is one other thing I wish to say. Until Collins told it in the witness chair here, I had never heard of Mortimer's attempt to bribe him. Collins professed to be my friend, and I thought he was and ought to be, and had he told me of this I would have at once presented the matter to the proper authorities. Why Collins did not do this is for him to say. Had he done it I would not

now find myself the victim of the circumstances unjustly placing me in my present situation after years of upright life and faithful public service.

"Of my ultimate vindication I have no doubt whatever, and this I confidently leave to the rectifying hand of time. Your Honor, I am innocent, and but the victim of unfortunate circumstances. If I am allowed another trial I know I can prove this, even to the satisfaction of my enemies."

Let me quote, from stenographic notes, a paragraph from His Honor's reply to my plea:

Langley, I have known you for a good many years, sometimes rather favorably, but I believe you are guilty of this charge. While the evidence does not show it, I believe you probably came to Lexington with full knowledge of the scheme to attempt to bribe my boy, Sam Collins. I say "My Boy" because I partly raised him. And yet in your statement just now you attempted to make it appear that he had failed in the performance of his duty in not notifying you that Mortimer had attempted to bribe him.

At this point I sought to interrupt the Court but my attorneys stopped me. Continuing the Court said: It is to the credit of Sam Collins that he refused to be bribed by you, even though you did have him appointed. I sentence you . . .

"Sometimes rather favorably." How touching that statement seemed! But how infinitely more touching the figuratively paternal note in the phrase, "My Boy!" His Honor says, "I partly raised him." Who raised the other part? If Sam Collins experienced such a consanguineous rearing then his history, as someone remarked, must have been a rather colorful one!

I often wondered whether Judge Cochran, in his state of evident hostility, had still in his mind an incident dating twenty years before.

At one time I wrote a letter to the President (I do

not recall the exact date) asking him to appoint Judge Cochran to the bench of the United States Supreme Court. The distinguished man, at whose insistence chiefly I did it, Hon. W. O. Bradley, is long since dead and I am sure that no one now living knows the facts. But it is on my conscience, and I am going to confess frankly that once upon a time I asked the President to appoint the boasted "tutor" of the former Prohibition Director of Kentucky, the man who called Collins "My Boy," as a member of the highest judicial tribunal in our country. I make this confession—and I now ask forgiveness of my conscience for it!

One of the misfortunes of my trial was the seemingly sinister episode which on the very last day deprived me of the services of Hon. Edwin P. Morrow for the final summation to the jury.

Mr. Morrow, a lawyer of notable attainments, skilled in Federal practice, had listened to the entire testimony with such object in view. The previous evening he was in our room with Mrs. Langley and myself when he was notified that Washington wanted him on the telephone. When he returned he said it was Senator Ernst, and that Ernst had told him he had seen the Attorney General and that Morrow had better not make the arguments for me, as it might cost him his job. Morrow assured me he would make the speech if he did lose his job, and he probably would. I told him not to imperil his job on my account, that I felt sure I would win anyway, and so under all these circumstances Morrow did not make the summation.

After the verdict of guilty was brought in, and sentence pronounced, following the six days of ordeal, my attorneys immediately filed an appeal to the Circuit Court at Cincinnati, with my release on bail of \$5,000.00.



Cave back of author's home at Pikeville, where part of this book was written. (*See text*)

I am anxious to comment here on the reasons for not making application for a new trial at Covington. This decision was reached, because, even though we had a mass of newly-discovered evidence, my attorneys decided that with Judge Cochran likely to hear the case again he might postpone decision on the motion until the six months period on such motion had expired, according to the statute.

In November, 1925, the Court of Appeals at Cincinnati, affirmed my conviction in trial court. My attorneys then made a motion for rehearing by that body. This motion was denied one month later. They then framed an appeal to the Supreme Court of the United States, but on January 11, 1926, the highest tribunal denied me a review. So, determined to face my fate without delay, I went to Atlanta on my birthday, January 14, 1926.

Never at any time has there been any doubt that the frightful ordeal through which I passed, had its inception in political intrigue, in the violation of my confidence, and the perfidy of so-called friends.

For almost 20 years I had served in Congress, plus seventeen previous years in departmental duties at Washington. So phenomenal was the fact of my repeated return to Congress that it could be little wonder to those even faintly familiar with the jealousies and hatreds of political life that I should eventually have become the object of bitter animosity and jealousy by enemies in the opposing party and ingrate intimates in my own. Indeed the annals of American politics furnish many parallels—although none so tragic—of the fate which befell myself.

And nothing could prove this statement more conclusively than the records of my indictment, trial and conviction.

Herewith I append some significant letters. I call particular attention to the first, an illuminating and totally unsolicited communication from Walter B. Carey, one of my co-defendants, addressed to Mrs. Langley:

March 2nd, 1926.

Mrs. J. W. Langley,
Pikeville, Ky.

My Dear Mrs. Langley:

Pardon the liberty I am taking in addressing myself to you in this direct manner, but I felt that you should be advised at length of the full circumstances surrounding the case as a result of which your husband has been unjustly incarcerated here.

These facts should of course have been made known to Mr. Langley and his attorneys at his trial. But you will remember that when I pleaded guilty during the trial, sentence was not to be passed until its conclusion, and I was therefore in no position to make any statement at that time. Believe me, Mrs. Langley, I have not ceased to feel a burden of responsibility that your husband, who has been an ornament to the public life of our country for so many years, should have been forced to suffer calumny, indictment, trial and official death, besides personal humiliation and disgrace, through his acquaintance with me. The only amend I can make is to tell you the true facts of this transaction at whatever risk to myself it may entail; in order that the declining years of Mr. Langley's life may no longer be shadowed by the outrage on his name.

In the first place, my acquaintance with Mr. Langley dates back to the funeral of the National Committeeman, Mr. Hert, held in Louisville in June, 1921. From time to time thereafter our paths crossed occasionally at social and quasi political gatherings but we never had any business transactions whatever, nor did any personal friendship arise as a result of these casual meetings.

In the early part of 1921 in partnership with M. E. Huth and T. J. Finn, I leased the Belle of Anderson Distillery from G. B. Hawkins. It is not necessary for me to detail either the operative management or business of the Distillery while in our hands, other than to state that at no time was Mr. Langley connected or involved

either directly or indirectly with any of our operations, deals or transactions.

Sometime in 1921 while we were lessees of said Distillery, I met for the first time Messrs. Schwartzkoff, Mortimer and Eichenburg; this was at the Seelbach Hotel, Louisville. As I recall they were in Mr. Langley's room. Mr. Langley was ill. I say this because he was not coherent and was unable to take any part in our conversation.

Mr. Mortimer, a nice looking, well groomed, smooth talking fellow, impressed me, as he did everyone else. He told me that he and his friends Eichenburg and Schwartzkoff, represented the banking firm of Kuhn, Loeb & Co., N. Y. City, and other big Eastern interests. He also said that his wife was a niece of the President's wife. He professed to be on intimate terms with all the leading men in public life in Washington and referring to some of the most distinguished of them, he invariably called them by their Christian names.

He said he and his friends Schwartzkoff and Eichenburg were equally as well connected, and that they could help me carry on my business legitimately. He said with his connections he "could get all the withdrawal papers he wanted." He said it would be legitimate paper properly issued. I told him I was interested and glad to do business with a man so well connected. There was no discussion as to price or money for his services made at this time, *or at any time when Mr. Langley was present.* Mr. Mortimer said he would see me later and arrange details. That was all that took place at this meeting.

Sometime later I saw Mr. Mortimer, Schwartzkoff and Eichenburg at the same Hotel (Seelbach). *Mr. Langley was not present.* Mr. Mortimer then told me he had some withdrawal papers. I looked at them and called his attention to the fact that they did not comply with a new regulation that went into effect a few days previous, regarding moving liquor by truck. And that his withdrawals were no good under the revised form.

Mr. Mortimer said he had entertained Mr. Collins, the new Prohibition Director of Kentucky, and other Kentucky Prohibition officials in Washington and New York and *felt that he was in a position to ask Mr. Collins for a modification, permitting this particular movement to be made by truck.* He finally decided that he ought to get Mr. Langley who was still at French Lick

Springs to go along to see Mr. Collins and we accordingly drove over to see him. He, Mr. Langley, was still indisposed. Mr. Mortimer told him that all he wanted him to do was to take a motor trip with the party to Lexington and meet some friends. *He made no mention of Mr. Collins to Mr. Langley at that time.* Mr. Langley finally consented to make the trip. Enroute from French Lick we stopped at Louisville where Mr. Langley received a telegram from you. Contents you no doubt are familiar with. As I recall it had been forwarded from French Lick Springs, and related to a mortgage on your house that was due and urged him to hurry to Washington to raise the necessary funds. Mr. Langley then said that in view of the telegram he would have to go to Washington immediately and could not accompany us to Lexington. Mr. Mortimer asked Mr. Langley in my presence how much the payment was and Mr. Langley told him two thousand dollars. Mr. Mortimer stated then and there that *he would gladly loan Mr. Langley the two thousand dollars on his note, to accommodate him,* saying it was "a small matter and of no consequence." Mr. Mortimer then took me aside and arranged to borrow the money from me temporarily. I gave Mr. Mortimer the two thousand dollars and he promised to repay me shortly, *but he never did.* A man named Fagan cashed our check for the amount and Mr. Mortimer gave it to Mr. Langley and took the latter's note for same and retained it.

Thereupon we all drove to Lexington and stopped at the Phoenix Hotel. We then made arrangements for supper in our rooms. Mr. Langley was present. Just when supper was about to be served, Mr. Mortimer suggested to Mr. Langley that he call Mr. Collins and have him join the party, which he did, and Mr. Collins arrived in a short while. After Mr. Collins' arrival he called Mr. Langley in another room. Later Mr. Mortimer was called and that is when the question arose about using Mortimer's withdrawal papers. I heard Mr. Langley and Mr. Collins have some sharp words in the hall, Mr. Collins saying the whisky would get in the hands of bootleggers. Mr. Langley evidently regarded Mr. Mortimer and his associates as upright, law-abiding men up to this time. Mr. Collins refused permission to remove the liquor by truck, still claiming it was irregular and that he was afraid it would be used illegally. Sometime later the Distillery got into trouble and my

partners, Mr. Huth, Mr. Finn and myself were indicted. I feel absolutely certain from my conversations with Mr. Mortimer and with his associates, Messrs. Schwartzkoff and Eichenburg, *that up to and including the time of the meeting at Lexington and with conversation and dealings with Mr. Schwartzkoff subsequently, he being the only one of the trio that I met again subsequent to the Lexington meeting, that Mr. Langley had absolutely nothing to do with this matter or with the affairs that led to our indictment.* He was not involved and had no knowledge of the actual facts and he had nothing to do with our transactions in any shape or form whatsoever. His associations *began and ended with the visit to Collins* which was entirely abortive. The court records will show that the first indictment contains *no mention of Mr. Langley*, nor can I understand on what basis he was included in the indictment found. I desire to call your attention to the fact that although I pleaded guilty I did not plead guilty to conspiracy with Mr. Langley, and I so advised my attorney at the time the plea was entered.

There seems to be nothing more that I can add to this simple and direct statement, further than to say that I am absolutely sure of Mr. Langley's entire innocence and feel conscience stricken that through nothing more than appearances and misconstruction of acts, due to his well known temperament and good-natured desire to help everybody, *an entirely innocent man* has been condemned to suffer the agony of conviction and incarceration. If I may be permitted to state what I think was the base of this trouble, I would say that he was grossly deceived by Mortimer, Schwartzkoff and Eichenburg, who were trying to use him as a tool for their money making schemes and when they found that they could not get anything definite or tangible through him in this way, they promptly dropped him out of consideration *and later when trouble came, they made him the goat to escape the consequences of their acts.* It is a curious commentary on our system of justice that such arch engineers and conspirators should be permitted to foist the blame of their own guilty acts on the head of an innocent old man, whose fault, if any, lay *in believing in the integrity of seeming friends.*

The Saviour of mankind had his Judas, and Congressman Langley had a Mortimer, a Schwartzkoff and an Eichenburg to betray him to his ruin. But in a more

evil way, for the Holy Bible does not make mention that Judas fabricated testimony to save himself and round out his crime against the Master. I have recited in this letter dates and details that are five years old and my memory might be slightly at fault as to dates. But the *facts, circumstances and conversations* are entirely clear in my mind.

In conclusion, permit me to hope that even at this eleventh hour these lines may prove of service in the cause of truth and justice, and that they may bring a measure of hope to you in your fight for your husband's vindication, even as they bring quiet to my troubled spirit in their penning.

Sincerely,

(Signed) WALTER B. CAREY

The following letter is from another of my co-defendants:

P. O. Box 1733

Atlanta, Ga., March 24, 1926.

Mrs. John W. Langley,
Pikeville, Ky.

My Dear Mrs. Langley:

Just a line to inform you that I have read a copy of a letter to you that Mr. Carey wrote regarding Mr. Langley's case. I do not know much about the case or about the Belle of Anderson Distillery management while Mr. Finn, Mr. Carey, and myself were the joint lessees. Mr. Finn usually took care of all the business. I never spoke a dozen words to your husband in my life prior to our trial at Covington in May, 1924. When I agreed to plead guilty upon the advice of my attorneys I surely did not plead guilty of conspiracy with Mr. Langley and I so advised them. I do not believe and never have believed that Mr. Langley is guilty of the charge upon which he was convicted.

I am writing you this letter in the hope that it may be of some consolation to you and perhaps some help in your efforts to have justice done your husband.

Yours truly,

MILO. E. HUTH

Law Offices of
JOHN W. PRICE
Southern Building
Washington, D. C.

— —
Telephone Main 362

STATEMENT WITH REFERENCE TO
LANGLEY TRIAL

I was one of the attorneys for the defense in the trial of Hon. John W. Langley at Covington, Kentucky, in May, 1924, upon an indictment charging him with conspiracy to violate the Volstead law. He was first indicted at Washington on practically the same testimony, given by the same witnesses. I was also retained as one of the attorneys for the defense in that case. His chief counsel was Judge Ed. C. O'Rear, of Frankfort, Kentucky. After the Washington indictment was reported, the fact became known that Mrs. Langley was to be an important witness for the defense. A married woman could testify in Washington for or against her husband but not in Kentucky. Thereupon Mr. Langley was hastily indicted at Covington, manifestly to keep Mrs. Langley's testimony out of the case. Some ten days before the case was to come up in the Covington court, Mr. Langley and I called on Sawyer A. Smith, the United States District Attorney, at his office in Covington. I told Mr. Smith that he was pressing for Mr. Langley's trial at the only place in the State where he was not well known; that the law of the vicinage was the foundation of trial by jury; and that he ought to be tried by some court held in his own section of the State where he was better known, suggesting Catlettsburg, Jackson, London, or even Lexington. Mr. Smith thereupon assumed an unfriendly and bellicose attitude remarking that he might as well be tried at his own home at Pikeville, and adding rather viciously that of course he could not be convicted at Pikeville. So, Mr. Langley was forced to go on trial at Covington, Mr. Smith stating very positively that he would not consent to any other place. Judge O'Rear had spent a large part of three or four weeks in preparing for the trial and Mrs. Langley, acting under his instructions, had almost exhausted her physical strength in traveling over various sections of

the country trying to get ready for the trial. At the last moment Judge O'Rear was reported ill and unable to participate in the trial. The attention of the Court was called to this but he remarked that Mr. Langley had abundant counsel left, indicating quite clearly that he would not grant a continuance on that ground. The former governor of Kentucky, Hon. Edwin P. Morrow, was agreed upon to make the closing address to the jury. He had listened to the testimony and had his argument prepared. At the last moment, before the defense closed its case, word was received from Washington which removed Governor Morrow from the case, because he was a member of the United States Railroad Labor Board, a collateral government position, although I was informed that an Assistant Attorney General was at that time acting, without objection from the Department of Justice, as chief counsel for another man who had been indicted, charged with a felony. I was compelled, practically without preparation, to take the governor's place and make the closing argument to the jury. After Mr. Langley had been convicted at Covington, the Washington case was dismissed upon motion of the District Attorney, who stated that it was based upon practically the same ground.

I am making this statement of facts with the understanding that Mr. Langley is to use it in a book which he is shortly to publish embodying a history of the case.

JOHN W. PRICE

I append an extract from a second letter from Judge Price:

John W. Price, eminent attorney, wrote me from Washington, D. C. under date of February 11, 1926:

In more than thirty years' practice and on the bench, yours is the only case that I now recall with which I have had and personal connection and knowledge, in which I believe an innocent man has been convicted. I went through this whole case with you from the beginning to the end, and I think I know as much about this situation as any other person possibly could know, and in my own mind I am thoroughly convinced of your innocence of the crime with which you were charged. However, you were the victim of a combination of circum-



Photograph of the author when he was a member of the Washington Light Infantry in 1885.

stances that resulted in your conviction. It is a tragedy that an innocent man should be convicted in any case, but when you consider that a man who has served the public all his life in an honorable and responsible official position, should have to suffer this indignity and disgrace, it adds to the horror and magnifies the tragedy of the situation.

I do not know what can be done, but Mr. Davis and myself and your friends are unwilling that this situation shall continue without our making every possible effort to right the wrong and in the end to establish your innocence. Of course, the injury done you can never be repaired. The only thing you can do, relying upon the full knowledge of your innocence, is to depend upon your friends to work this matter out as best they can under the circumstances as they may develop.

Hon. Henry E. Davis, chief counsel at my trial, wrote me from Washington, February 17, 1926, among other things as follows:

When in New York, just prior to my writing you before, I met and had a long talk with Mr. Eichenburg on his invitation. And he assured me most positively that you were and are wholly innocent of the crime charged at your trial.

I might explain that Eichenburg (a resident of either New Jersey or New York), was involved in the cases of other defendants, but fully conversant with my case, and this in full knowledge of my innocence.

I am giving space to two letters from ex-Governor Willson of Kentucky:

Frankfort, Ky.
January 16, 1926.

To the President:
Sir:

The conviction of the Hon. John W. Langley, after his long years of distinguished public service, and great honors, upon the testimony of a wholesale criminal, who became a witness for the Government to save his own hide, has shocked the people of Kentucky, who feel that the conviction, although legal, is unjust.

If it were an unquestionably just conviction, after all

the years of public service and honors, the sentence does seem to me punishment enough, without taking him from his wife and family, and it has left him and his good wife with nothing to live on.

Without request from Mr. Langley or his wife, and without their having any knowledge or information until after this letter is sent, that I had any thought of writing it, I write to petition you, earnestly, to grant him a pardon.

I have most earnest friendship and perfect respect for Judge Cochran, who felt it his duty to impose the sentence, but after my long life, with a very great acquaintance with people and human nature, I feel it my sacred duty to ask that in view of his long, useful and distinguished public service, Mr. Langley should be granted a pardon.

With perfect respect and very best wishes, I am,

Yours very truly,

AUGUSTUS E. WILLSON,
Governor of Kentucky, 1907-1911.

Louisville, Ky.

December 31, 1927.

To the President:

Sir:

I wish to mark this last day of the year with this one good deal and respectfully and very earnestly ask you to restore John W. Langley to citizenship.

I have known him from boyhood and he has been a hard working, useful and deserving man. I am sure that he has never knowingly violated the law under which he was tried. I am sure that he will justify this clemency by his life and will make a useful citizen.

With a grateful human wish for a Happy New Year to you and yours.

Faithfully,

AUGUSTUS E. WILLSON,
(Signed) Governor of Kentucky, 1907-1911.

Law Offices
A. O. STANLEY
American Building
1317 F Street, N. W.
Washington, D.C.

January 10, 1928.

To the President,
The White House.

My dear Mr. President:

The Honorable John W. Langley has, as I am advised, filed an application for restoration to citizenship and I trust that this request may meet with favorable consideration.

I have known Mr. Langley for twenty-five years, having served with him for ten years in the House of Representatives. He possesses capacity, indomitable energy and perseverance and is in every way prepared to earn his livelihood in the practice of his profession. I hope that you will find it advisable to enable him to actively engage in the practice of the law by the removal of this barrier.

In his express desire to enter immediately and actively upon a useful career, he is to be heartily commended and I trust that this request may, for that reason, receive your valued approval.

Yours very truly,
(Signed) A. O. STANLEY,
Governor of Kentucky, 1915-1919.

(Note: Governor also served as United States Senator from Kentucky, 1920 to 1927, in addition to ten years in the House.)

(Seal of Kentucky)
COMMONWEALTH OF KENTUCKY
Executive Chamber
Frankfort, Ky.

Flem D. Sampson,
Governor.

December 31, 1927.

President Calvin Coolidge,
The White House,
Washington, D. C.

Dear Mr. President:

I am well acquainted with Ex-Congressman John W. Langley of Kentucky, who was convicted in the United States District Court for the Eastern District of Kentucky, on a charge of conspiracy to violate the Volstead Act and given a two-year term in the Federal Prison. He is a lawyer of many years' experience, and under our statutes he is not eligible to practice until he is restored to citizenship by you.

Having known Mr. Langley intimately I am unable to believe him guilty of any intentional wrongdoing in the matter out of which his conviction came. He is a man of many accomplishments and excellent judgment and was never accused of any crime before that charged against him for which he was convicted.

All these things considered, I believe that a restoration of citizenship would be to the best interest of society since to refuse it prevents him from following the only profession open to a man of his age and past experience.

Very respectfully,

(Signed) F. D. SAMPSON

UNITED STATES
BOARD OF MEDIATION

Washington

Samuel Winslow, Chairman

G. Wallace W. Hanger

Edwin P. Morrow

Pat M. Neff

John Williams

John Marrinan, Secretary

January 12, 1928

The President
White House

Mr. President:

I gladly and most earnestly recommend that you restore John W. Langley to citizenship. I know the Tenth Congressional District and its people very well, and I have known Mr. Langley all of my life. He has been a faithful and efficient public servant both in and outside of Congress, including two terms in the Kentucky Legislature, something like fifteen years in the Executive Departments in Washington and about nineteen years as a member of the United States House of Representatives.

This is the first violation of the Federal law with which he has ever been charged. He has five or six degrees from the National, Georgetown and Columbian, afterwards called George Washington Law Schools, having attended these schools for an aggregate period of eight years. He has also had two or three honorary degrees conferred upon him.

He has been a member of the bar for forty-one years, and has been engaged in active practice of the law for a considerable portion of that time. His present disfranchisement precludes him, under the Statutes of Kentucky, from practicing his profession, which is his only means of livelihood. The people of his section of Kentucky, where he was born and reared, have the fullest confidence in his integrity and ability and he would be welcomed back to his chosen profession of his life. The sentiment of the people, not only of Kentucky, but of Washington as well, where he is also well known, is strongly in favor of his restoration to citizenship.

THEY TRIED TO CRUCIFY ME

From every viewpoint, and fully conscious of all the circumstances surrounding this case, I recommend, as an act of justice under the law and in the broad name of humanity, his pardon, which I confidently believe will be the means of restoring a kindly and useful citizen to chance and opportunity in life.

Most sincerely yours,

(Signed) EDWIN P. MORROW,
Governor of Kentucky, 1919-1923.

Frankfort, Ky.
December 12th, 1927.

To the President:

I am advised that application will shortly be made to you for restoration of citizenship of John W. Langley, who was convicted in the United States District Court for the Eastern District of Kentucky, at Covington, Kentucky, upon a charge of a conspiracy to violate the Volstead Act, and was given a sentence of two years in imprisonment. Pursuant to this sentence he served at Atlanta, Georgia, from January 15th, 1926, to December 20th, 1926, when he was paroled.

I have known Mr. Langley for many years and served with him in Congress for about thirteen years. I have never believed him guilty of any intentional violation of the law. He has been a student all of his life and has a finished education, including eight years of study in Law Universities, and has had conferred upon him all of the working degrees Law Universities confer.

He was admitted to the bar forty-one years ago and has had a good many years' experience in the active practise of his profession. This being his only means of livelihood, and this being the only crime with which he has ever been charged, I am of opinion that it is a great injustice to him to deprive him of the opportunities his life's training has fitted him for, and which under the Kentucky Statutes can not be extended to him while his citizenship is withheld.

I shall personally appreciate your favorable consideration of this request.

Very respectfully yours,
W. J. FIELDS, Governor.

ELK HORN COAL CORPORATION

Incorporated

Elk Horn Coking, By-Product, Gas, Steam & Domestic
Coals

Fleming, Kentucky,

August 18, 1927.

Mr. John W. Langley,
Pikeville, Kentucky.

My dear John:

Your letter of the 16th at hand.

Any letter that I have written in your behalf that you might want to use in your book, "The Smoke Screen of the Cumberlands," that you think would make it more of a success I have no objection to. But, what I want is that you make it a success and I am anxious to see same.

Will call and see you next time I am in Pikeville. With best wishes, I am,

Yours very truly,
THOS. S. HAYMOND,
Consulting Engineer.

H/W

ELK HORN COAL CORPORATION

Incorporated

Elk Horn Coking, By-Product, Gas, Steam & Domestic
Coals

Thomas S. Haymond, General Manager

Fleming, Ky.

August 31st, 1924.

Hon.C. Bascom Slemph, Secretary to the President,
White House, Washington, D.C.

My dear Mr. Slemph:

I desire to take this occasion to advise you of the general conditions, the temper of the people and the stand they have taken on the question of Honorable John W. Langley.

Irrespective of party affiliations practically every man stands back of Mr. Langley. The Primary Election wherein he beat Mr. Duff for the nomination on the basis of more than twelve to one is enough to show what they

think of Mr. Langley, his past, and they are satisfied to let him continue in Congress as their representative. This is not only so of the Republican Party but extends into the rank and file of the Democratic Party. These people in the Tenth District watched the trial of Mr. Langley; read the evidence in the paper, talked to people who were there and they will not be convinced that the evidence of Mortimer given under the circumstances, really in self-defense, is to be compared with the evidence or word of John W. Langley. In other words our people do not believe that John Langley is guilty of the crime he was convicted of; that it is a frame up and that Mortimer, to save himself from prison, was trying to sacrifice the honor of Mr. Langley.

Personally, from heresay and general information gathered before this matter connecting Mr. Langley to it came up, I learned from men high in the council of the Republican Party that they were not satisfied with Sam Collins as Enforcement Officer; why they were not I do not know nor can I imagine, because Collins, in his official capacity in office or out, has always been an honorable straight-forward gentleman and is held in the highest esteem by his friends. In summing up, the evidence has not been considered in any way, shape or form; therefore, as stated above, you will find the people of the Tenth District have come to the conclusion that Mr. Langley's evidence in his behalf was not considered and the only evidence considered was that of Mortimer, and that he was convicted upon his evidence, which is wrong, and they do not believe that he is guilty. Langley is progressive, has worked hard for the Tenth District and Kentucky; he is satisfactory to the business interests of the district and particularly so to the coal industry, which is by far the largest industry in the district.

I therefore give you this information, hoping that you may act upon same in such a way that it will be a help to Mr. Langley and that he be relieved of this strain put upon him by some faction for some reason to his detriment as well as to the citizenship of the Tenth Congressional District of Kentucky, and that you may, and will, use every honorable means to assist Mr. Langley in clearing his good name as we really believe he has and will be.

With kindest personal regards, I am,

Yours very truly,

THOS. S. HAYMOND,
General Manager.

H/b

STATE TAX COMMISSION OF KENTUCKY

Frankfort,
August 24, 1928.

Hon. John W. Langley,
Pikeville, Ky.

Dear Mr. Langley:

I have your letter of recent date. In accordance with your request, I am giving you the following facts as I remember them.

In September, 1921, while I was occupying the position of Circuit Judge of the Twenty-Eighth Kentucky District, a position I had held for almost twelve years, I was selected by Mr. Collins, State Prohibition Director of Kentucky, as his legal adviser. I doubted the wisdom of my resigning my position as judge to accept this position with Mr. Collins, and in order to satisfy myself fully concerning the same, I went to Lexington, the headquarters of Mr. Collins, and stayed something like a week, in order to acquaint myself with the duties of the office so as to definitely determine what course I should take.

While I was there looking into the matter, you visited Lexington, the 28th or 29th of September, 1921, having come from Washington to Kentucky in connection with other appointment matters, as you frequently did. By this time, I had about made up my mind not to accept the position of legal adviser, and had so informed Mr. Collins.

I talked with you about the matter and the insufficiency of the salary, and Mr. Collins also talked with you on the same trip, as he afterwards stated to me.

In discussing the matter of my salary, you expressed the opinion that you might be able to get Colonel Haynes, the Prohibition Commissioner at Washington, to combine the duties of legal adviser with those of assistant director, so that I could be appointed to the latter position with an increase of salary from \$3,300.00 to \$4,000.00, which would justify my resigning from the bench.

After this conversation, you went on from Lexington to Washington with the understanding that you would see Colonel Haynes about the matter, and wire both Mr. Collins and myself as to the result.

Within a day or so, both Mr. Collins and myself received a wire from you, advising that the matter had

been arranged. My telegram was received in Lexington Saturday night, but was not delivered until the following morning. On that same morning I met Mr. Collins, who remarked to me, "Judge, where have you been? I looked for you all over Lexington yesterday evening, to show you a telegram I received from Mr. Langley, in which he says that Colonel Haynes has agreed to appoint you Assistant Director, combining with it the duties of legal adviser with an annual salary of \$4,000.00." Thereupon he showed me your telegram.

I then told Mr. Collins I would accept the place and 'phoned Governor Morrow that I was mailing to him my resignation as Judge to take effect the following Tuesday and I went on duty with Mr. Collins the following Wednesday.

Previous to this conversation, I had had some flattering offers in the legal profession, and was seriously considering resigning from the bench, and moving West.

Not understanding your activity and interest in my behalf, I said to Mr. Collins: "I assume that Mr. Langley is doing this solely as a favor to you, as I am not even a resident of his district, which he tries so hard to get everything for," to which Mr. Collins replied: "It is due in part to his desire to serve me, but I have a suspicion that he is thinking of making a race for the Senate in 1924."

I recall the interview that I had with you and Mrs. Langley at the Phoenix Hotel in Lexington, while your trial at Covington was impending. You thought that, in view of the matters above referred to, that I would be a material witness for you upon your trial. I told you and Mrs. Langley substantially what I have above stated but added that I hoped that you would not summon me as a witness because I had resigned my position as assistant director and was a candidate for the Republican nomination for the United States Senate, and did not wish to appear to be taking sides in this case.

Mr. Collins and myself always agreed on the enforcement of the prohibition law while I was associated with him in the Government Service and, when I resigned, he gave me for publication a letter heartily endorsing my faithfulness and service as assistant director.

So far as I remember, the foregoing embodies all of the material facts, within my knowledge, about which you wrote me.

BJB:MSB

Sincerely yours,
B. J. BETHUREN

Not only was I the Appointment and Disbursement Clerk of the Census Office, but also acted as Law Clerk of the Bureau, and frequently appeared before Congressional committees representing the Director on legal matters. I had also written for him several legal opinions, affecting the Bureau, which were approved by the Attorney General of the United States. Mr. S. N. D. North, then the Director of the Census, had had a long personal talk with Mr. George B. Cortelyou, Secretary of Commerce, regarding me, suggesting that I ought to have a higher place than I then held, and in a legal capacity. When Mr. North came back to the office he wrote a letter to Mr. Cortelyou about their recent conversation. A copy of this letter follows:

Washington, D.C.,
July 12, 1906.

Dear Mr. Cortelyou:

I have been thinking about our talk Tuesday, and your cordial reference to Mr. Langley. While it would be a great loss to me and to the Census Bureau to have him transferred, I feel that I have no right to stand in the way of any arrangement that will bring him a material increase of compensation and put him directly in touch with legal work, for which he is so thoroughly equipped and where he could render the government services of the highest character.

It has occurred to me that at this particular time, when the Department of Justice is preparing many important cases under the anti-trust and anti-rebate laws, it ought to be possible to utilize his talent as special counsel to great advantage in the preparation and trial of these cases. He has not only had, as you know, an exceptional legal training in universities, but considerable experience in the actual practice of his profession. He has also had legislative training as a member of law committees in the Kentucky General Assembly; and in addition to his duties as Disbursing and Appointment Clerk of this Bureau, he has rendered invaluable services in framing and interpreting the Census laws. Legal ques-

tions, often extremely difficult and technical, are constantly arising in the administration of this Bureau. These are always referred to Mr. Langley, and it is due to him to say that he has never yet given me an opinion which has not been sustained by the Attorney General or the Comptroller of the Treasury, whenever the questions have gone to these officials for final determination. He is possessed of analytical talent in an unusual degree, and his powers of initiative, and for grasping and correctly solving new questions, are so exceptional, that he would be of the utmost value to the Department of Justice in the class of work to which I have referred. Such an employment would be, at the same time, a very appropriate recognition of an untiring and faithful worker in the public service.

For these reasons, I feel it my duty to waive my own personal and official interests, in order that he may have an opportunity to attain the advancement which his services to this Bureau so justly merit.

Very sincerely yours,

(Signed) S. N. D. NORTH, Director.

A JOINT RESOLUTION to authorize John W. Langley to pursue the practice of law.

BE IT RESOLVED by the Senate of the Commonwealth of Kentucky, the House of Representatives concurring therein:

THAT, John W. Langley, of Pikeville, Pike County, Kentucky, now a member of the bar of the State of Kentucky, be and he is hereby authorized to immediately enter in upon and pursue the practice of the profession of law in all the courts of this Commonwealth notwithstanding the provisions of Section 97 of the Kentucky Statutes, Carroll's Edition, 1922, and 95 of former Editions.

(Adopted in the Senate February 15, 1928, and concurred therein by the House of Representatives on the same date.)

R. F. FIELDS,

Chief Clerk of the Senate.

From four important and I think interesting letters received, I wish to make extracts. The first, a communication from H. B. Bryson of Carlisle, Kentucky, dated October 5th, 1924:

Mr. S. says this case ought not to have been tried by this jury: says the jury did not understand the case, that they were confused and could not grasp the matter. He further says that Langley was convicted before there was a scintilla of evidence offered: he says that the statements made by the District Attorney stayed with the jury even after certain statements were ruled out by the Court: He says "I do not believe that Langley ever did or intended to do anything wrong." And here is something that I consider very important: Mr. Sprading says that the Deputy U. S. Marshal who had charge of the jury and was with them all the time expressed himself very openly in the hearing of the jury, even while they all sat at the dining table, and where every member of the jury could hear him, saying that "Langley is as guilty as Hell," and that he carried on this character of conversation freely, practically all the time.

I make the extract following from a letter dated May 19th, 1924, written to my chief counsel Honorable Henry E. Davis by W. T. Fowler of the law firm of O'Rear, Fowler & Wallace, Frankfort, Kentucky:

I notice that our friend Langley has had a collapse of a serious nature, the result of which cannot yet be foreseen. In my honest judgment no man has ever been called upon to face a greater injustice or has been more unjustly maligned than he. There is not a lawyer in the case on either side but knows that he has not had a fair trial; and I sincerely believe that the Circuit Court of Appeals will reverse the judgment. You made a gallant fight for him, and while you lost, you have the satisfaction of knowing that you were right on the vital points which you raised preceding and during the progress of the trial. Judge Cochran was so sure that you were right in your position that in his final charges he rested the conspiracy on the corruption of Brady rather than on the fraudulent issuance of the permit or upon the efforts to influence Collins to permit shipments by truck. The government had proven itself out of court on the allegations found in the indictment and something had to be discovered in order to take the case to the jury.

I might explain with reference to the next excerpt that, after my indictment had been returned, I was the recipient of many generous offers from dear friends and others to supply me eminent counsel without cost. As an example of this loyalty I will first quote a wire sent me on April 19th, 1924, from N. P. Howard, Lexington, Kentucky:

HON. JOHN W. LANGLEY.

MEMBER OF CONGRESS
WASHINGTON, D. C.

WILL EMPLOYMENT OF A FLOYD BYRD
WHO IS UP TO THE MINUTE ON CRIMINAL
LAW BY YOUR FRIENDS AND
CONSTITUENTS OF MAGOFFIN COUNTY
WITHOUT EXPENSE TO YOU BE ACCEPTABLE
AS ATTORNEY TO HELP YOUR
EMPLOYED COUNSEL IN YOUR DEFENSE
WE BELIEVE IN YOUR INNOCENCE AND
WANT TO SHOW IT ANSWER.

This wire was followed by Mr. Howard's letter dated the day following:

"I want to help you, personally, and I know our people want to do the same thing, because they honestly believe you innocent, as we could never think OUR John would sell out so cheaply, if he ever had such thoughts. We always rated you a \$100,000.00 man in a \$7,500.00 job, and would be disappointed to know you even thought of selling for \$1,000.00 or \$5,000.00. The smallness of the thing aside from the littleness of the act makes it preposterous for us to even think about—say nothing about believing, but you know there are minorities, and minorities sometimes tear down, and all cases have their surprises because jurors cannot see alike.

"You know both at Covington and Washington you will be tried by jurors who do not know you personally, all foreign to your district, hence we can reach through



Author and four ex-Union soldiers, three of whom are now dead, photographed at Hazard, Ky., six months after my trial.

the press the public that it may know that your people at home do not believe you capable of doing such an act."

The fourth extract is from a letter written me on January 28, 1926, by Theodore Dedrick of 127 Griffith St., Jackson, Miss., while I was yet in prison:

I am a Republican and will serve the balance of your term willingly, so that you may go back to those dear old mountains and hold out G. O. P. high to all those who would be leaders. With thousands of other liberty-loving citizens, both Democrats and Republicans, I know clearly that you are the victim of party war, jealousy and spite. Bear this fact in mind, Sir, that when you do go back home you will be elected Governor or U. S. Senator easily.

Letter from Fred A. Emery, formerly Capitol Manager of the Associated Press; magazine contributor; author of "Behind the Scenes in Washington," Collier's Weekly, "Washington Day by Day," New York Tribune, etc., etc.

Washington, D. C.,
May 8, 1922.

As a close observer of Congress and of national affairs for almost thirty years, I hope that every loyal and patriotic Kentuckian in Representative Langley's district will vote for him. For twenty-five years I was connected, editorially and as a reporter, with the Associated Press, the largest news gathering organization in the world, part of that time as its Capitol Manager and Night Manager of its Southern Division. I had occasion to report the Government departments from time to time and there saw the value of the activities of Mr. Langley in behalf of his state. I came to know most of the Members of Congress and I am volunteering this statement by way of tribute to the value of John W. Langley's service to his country, to his state, and to his district.

I have never known a man more loyal or devoted to his constituents or more active for Kentuckians than the man who has stayed at his post of duty in Washington through the trying period in which he has served his country in Congress. John Langley's experience in Con-

gress and his wide knowledge of Government activities generally are invaluable to his state and to his district, an experience and knowledge which no new man could acquire in years of service. His experience, his wide knowledge of national affairs, his vision, and his activity for Kentuckians ought to insure his being in Congress for many years to come for the benefit of his state and the people he represents.

His renomination and his reelection are a public duty. There could be no greater mistake that a Congressional district could make than to fail to send back to Congress John Langley, whose activities and service I have seen so intimately as a newspaper man and whose championship of Kentucky's best interests, especially the mountain section, has been a lifelong principle with him.

FRED A. EMERY

Out of a vast collection of correspondence from notable public officials complimenting me on benefits secured for my state, country and district while in the House, I have room for only these two samples:

NAVY DEPARTMENT

Assistant Secretary's Office
Washington.

July 1, 1922.

My Dear Mr. Congressman:

Our Naval Bill is through, and has finally become a law of the land. This is just a belated note of thanks for the help you gave us in this all important matter. You realized with clearness of vision, that our Treaty Navy must be adequately maintained if we expect either to guard properly the defense of our country, or have our ideals play the part in the world affairs that we feel they should. I am not surprised by the stand you have taken. Indeed, it is what I would have expected from you, knowing as I do your record.

With all good wishes,

T. ROOSEVELT

Honorable John W. Langley, M. C.,
House of Representatives,
Washington, D. C.
TR/meh

3—1901

DEPARTMENT OF THE INTERIOR

Bureau of Pensions
Washington.Office of
the Commissioner

May 11, 1922.

Hon. John W. Langley,
House of Representatives
Washington,
D. C.

My Dear Congressman:

I recall with pleasure the days when we were in Congress together and have noted with interest your continued service to this time, and especially your interest in the matter of pensions to the Civil War and Spanish-American War veterans and their dependents. Very few men in Congress so far as my knowledge goes, have been as active and I might say influential as yourself in promoting the interests of these two classes of pensioners.

From the time I was Commander-in-Chief of the Grand Army of the Republic, some nine years ago, up to the time I took my present office I was Chairman of the National Committee on Legislation which has to do, as you know, with matters of a national character which are to be brought before Congress by authority of the Grand Army of the Republic, and I recall with pleasure your effective activity in behalf of the old soldiers during my connection with national legislation.

The records of the Bureau show that all these years you have been active and energetic in securing justice and promptness in the settlement of the claims of the soldiers, their widows and children.

Sincerely yours,

WASHINGTON GARDNER,
Commissioner.

PART TWO
STORY OF MY OWN LIFE

INTRODUCTION

THE reader would naturally expect to find, at the beginning of this work, the autobiographical matter which I am placing here.

However, I felt and so decided that it was proper to open my book with the story of the shameful intrigue of which, in my declining years, I was the victim, and to set forth such facts, affidavits and other data pertaining to my trial as would furnish momentous proof of my innocence and stand as my eternal vindication in the mind of all my beloved fellow-Kentuckians and my countrymen generally.

Having told this amazing story, I shall now pilot my bark of reminiscence into the quieter and pleasanter backwaters of my family and mountain history and of the many notable and dear friends I have known in a long life.



President-elect Harding and Mr. and Mrs. Jno. W. Langley, shortly before his inauguration (photograph made at his suggestion) on the west front steps of the Senate Office Building.

Chapter I

I AM revising the manuscript of my book in the rock-house just back of our home, where the sheep used to herd more than a century ago and which I have remodeled somewhat into what I call my summer work-house. A considerable part of the script was written here, although much of it was prepared while I was in prison.

Looking downward, as I write, from the mountain-side, I can see the Big Sandy river murmuring the music of its hidden power as it glides over sand bars and tumbles over rocks on its march to the distant sea, there to mingle with the myriad other waters, finally perhaps to beat with them against the unseen shores of other lands. Up among Kentucky's blue-wreathed hills, in the upper stretch of this endlessly romantic valley, there are memories clustering of the years gone by that would "stir the soul of the dullest man." To recount some of these, to capture for a moment the haunting charm of these hills, is one of the objects of my memoirs.

As I gaze upon our home, with all of its picturesque environment, the wooded slopes in the distance, the turn-pike outlined nearby and neighbors and old friends passing over it, to and fro, I can not resist saying, that while I have visited many parts of the world and have spent more than half of my life in cities, I would rather abide here than any other place on the globe. There come to my mind at once the lines by Foss, which I think embody one of the sweetest sentiments ever penned. I kept the poem, framed, in my room all the time I was in

prison and I reread them often, ever with a touching picture before me of the dearest spot on earth:

Let me live in a house by the side of the road,
Where the race of men go by,
The men who are good and the men who are bad,
As good and as bad as I,
I would not sit in the scorner's seat,
Or hurl the cynic's ban:
Let me live in a house by the side of the road,
And be a friend to man.

I was deprived of this privilege for a time and this book will clearly disclose the reasons for it. Just as "truth crushed to earth will rise again," I knew my opportunity would come, and it has. While I was in Atlanta prison I never closed my eyes at night without a fervent prayer to God that he would spare me my life and my health so that I might come back and prove to my people that I had been cruelly wronged. I feel that my prayer has been wonderfully answered. I do not believe in the axiom that opportunity knocks only once, but find that it comes as often as our conduct deserves it. So firm in this conviction am I that when I was editor of "Good Words," the prison magazine, I wrote an editorial on the subject and quoted the well-nigh matchless lines of the late Judge Walter Malone, a distinguished Chief Justice of Tennessee, which I take the liberty of transcribing here:

OPPORTUNITY

They do me wrong who say I come no more
When once I knock and fail to find you in;
For every day I stand outside your door
And bid you wake and rise to fight and win.

Wail not for precious chances passed away,
Weep not for golden ages on the wane;
Each night I burn the records of the day,
At sunrise every soul is born again.

Laugh like a boy at splendors that have sped
To vanished joys be blind and deaf and dumb,
My judgments seal the dead past with its dead,
But never bind a moment yet to come.

Though deep in mire, wring not your hands and weep,
I lend my aid to all who say "I can,"
No shamefaced outcast ever sank so deep,
But he might rise and be again a man.

I must not indulge too much in quotation, but at the risk of tiring the patience of the reader I want to copy some lines that have an indirect bearing upon my life and from which I have gained much courage and consolation.

"Let me live, Almighty Master,
Such a life as man should know.
Tasting triumph and disaster,
Joy, and not too much of woe,
Let me run the gamut over,
Let me live and love and laugh,
And when I'm beneath the clover,
Let this be my epitaph:

Here lies one who took his chances,
In the busy world of men,
Battled fate and circumstances,
Fought and fought and fought again;
Won sometimes but did no crowing,
Lost sometimes but did not quail,
Took his losses, kept on going,
Never let his courage fail."

I do not claim that I have, without exception, lived up to this ideal, but Holy Writ tells us that no human being is perfect and evermore I find comfort in that. Nor would I be loyal to the precious memory of my Christian parents if I failed to quote here the prayer which they instilled into my heart and soul in my early manhood and which, with minor variations to fit new conditions, I have repeated nightly ever since:

"O, Lord, I thank Thee for sparing and preserving
my life and for all Thy goodness and mercy to me.

I thank Thee for all the opportunities Thou hast given me to become a Christian, and for answering so many of my prayers. I pray Thee to forgive me for not keeping my promise to Thee that I would lead a Christian life if Thou wouldst help me to achieve my ambition to be a Member of Congress and for breaking my pledge that I would remain a total abstainer for the remainder of my life. Thou knowest the whole story and I ask Thy forgiveness. Help me to take advantage of every opportunity to atone for whatever sins I have committed in the past. Help me to resist temptation and to drive sin out of my heart and the tendency to sin out of my nature. Strengthen me in my efforts to obey Thy laws and in my desire to live an upright, Christian life. Shield me from harm while I sleep tonight. May I begin tomorrow with renewed resolve to avoid saying, doing or encouraging anything that might tend to weaken the cause of Christianity. Help me to stop grieving over the unspeakable wrong that was done me in that prosecution under the Volstead act and to try and live only for the present and the future. Give me Christian charity for all the world. Help me to continue to live true to all the vows I have taken and to refrain for the remainder of my life from the use as a beverage of intoxicants in any form. Let Thy spirit abide with me during the remainder of my life's journey and strengthen me in my desire and efforts to meet with Christian fortitude and resignation the difficulties that beset life's pathway. May I never cease to be grateful for the merciful privilege of living and may I strive always to make my life purer and better. Be with me when the ordeal of death comes to me and save me at last in heaven. I ask this help, mercy and forgiveness in the name of our Blessed Saviour and Redeemer, who died that we might live and Who has told us to pray:

"Our Father Who art in heaven, Hallowed be Thy name, Thy kingdom come, Thy will be done on earth as it is in heaven. Give us this day our daily bread and forgive us our debts as we forgive our debtors, and lead us not into temptation but deliver us from evil, for Thine is the kingdom and the power and the glory, forever. Amen."

I was born near the close of the Civil War in Floyd County, Kentucky, descendant from the Langley family



Natural Bridge, Virginia, where grandmother Langley was born and reared.

of North Carolina and the Robinson family of Virginia, both of Revolutionary tradition.

On my mother's side came the strain from the Salmons and Click families of Virginia and Kentucky. My maternal ancestors being Edith MacAlpine, who married Archibald MacGregor. Edith's daughter, Ann MacGregor, married Captain Henry Connelly. My descent therefore, traces from the Clan MacAlpine, the first of the famous Scottish Highland clans. Through my mother's line I inherit a considerable element of German blood.

It was a tough job in the far-off days of my youth, over 50 years ago, to get an education. As a barefooted boy I can well remember trudging to the little country school down the road in the Kentucky hills, sitting up into the morning hours at home over my lessons to get them perfect and reading every book upon which I could lay my hands.

Later, after those arduous school days came brighter times, when I won first honors in the National University law school at Washington, which I attended at night while my days were spent on duties in one of the Government offices. From that city's famous seats of learning I came away with the degrees of A.B., LL.B., and LL.M., Doctor of Civil Law and Master of Diplomacy, the highest working honors conferred by any university in the country.

At the age of 16, I was granted a teacher's certificate in Floyd County, receiving the highest rating in the county and taught school for three years, later receiving my clerkship in Washington in 1882 in the Pension Office. Afterwards I returned to Kentucky, and was twice elected to the Legislature of that state (1887-89) receiving at the beginning of my second term, caucus nomination of my party for Speaker of the House, constituting minority leadership. In 1890 I was honored

with a membership of the Board of Pension Appeals at Washington.

Once more, in 1895, I returned to my native state and resumed the practice of law, later referred to. In 1896 I received the Republican nomination for Congress but, contesting a district overwhelmingly Democratic, was defeated by less than 1,000 votes. In 1899, the position of Appointment Clerk in the Census Office was conferred upon me, later combined with the office of Disbursing Clerk at a \$500.00 increase in salary, and these consolidated posts I held until my second nomination for Congress in 1906—when I was triumphantly elected, overturning the proverbial Democratic majority.

The desertions which a man in public life, hard pressed for funds, often experiences is well illustrated by an occurrence in 1910 when President Taft requested me to visit him at the White House.

Upon arrival I was compelled to wait in the anteroom for at least half an hour and sitting there full of wonderment as to what the President's invitation could mean, I wrote the following memorandum:

Jan. 31, 1910.
11:25 A. M.

I am sitting here in the reception-room, waiting to see the President, who has sent for me to talk about a matter that has a vital bearing on my future. I do not know what he is going to say nor what I am going to say. If no one were dependent upon me it would not matter. I would stoically take my chances, resolved to make the most of either dilemma and fight to the finish. But I will do that anyhow. Can I best serve my people, myself and those dependent upon me by remaining in Congress or by returning to my chosen profession? I wish I knew how to decide it, if the decision should be left to me. I trust Thee, Lord, to guide me aright, and I will do my *duty* whatever may come. On that I am firmly resolved.



Top.—Rock top of hill up which Union troops marched at battle of Middle Creek, March, 1862. Author used to declaim from this rock when a boy, naming trees for famous characters of sacred and profane history. One still showing he called Christ. Limb broke and hurt him when he was climbing it and he changed its name to Judas Iscariot.

Bottom.—Latest picture of the author, with his mother and oldest sister taken in 1920 at the old home on Middle Creek.

Just as I had finished the above, I was called in and Taft told me that he understood I had decided to abandon any further race for Congress. He anxiously added that the situation being what it was, the party chiefs felt I was the only man that could carry the ticket to victory and he felt they would be compelled to draft me into the campaign. I was somewhat astonished, and at once acquainted him with my financial difficulties; that I had made my first race with only \$235.00 in my pocket and that now I was even worse off. He quickly replied that he could guarantee me abundant financial help if I would consent to run. To this I finally agreed, and in the middle of the campaign following, I wrote a letter to President Taft reminding him of his promise. To my amazement he sent me \$50.00!

From the year 1906, my personal history is simply a record of repeated reelections to Congress up to and including the year 1924 when, as I have told in the first part of my book, the electorate of Kentucky's 10th District, in apparently righteous indignation, returned me to Congress, in the face of my sentence to prison, by the largest majority I had ever received.

It may be my ignorance of history, or an unwarranted egotism, but I believe that this vindication stands unique in the political annals of the world.

Perhaps I may point with forgivable pride to the benefits I secured for my district while I was a member of the House. In addition to the establishment of more than 2,000 new Post Offices I secured appropriations for my district totaling well over \$1,100,000.00 covering almost numberless public benefits and improvements. Among these I might name the establishment of a Federal Court at Jackson, Kentucky, the erection of a similar Federal building at Winchester, Ky., and another at Mount

Sterling, Ky. Also appropriations of \$75,000.00 each for similar structures at Pikeville, Paintsville and Prestonsburg. I remember with especial pride the Soldiers Widows' Home in the vicinity of Paintsville, Ky., and the bill passed through my initiative, providing that all veterans of the Mexican and Civil Wars should receive a pension of \$1.00 per day. With additional repeated appropriations for improvements in the Kentucky and Big Sandy rivers, and Federal aid in the construction of public highways, not to mention the many well merited official appointments bestowed upon able and active supporters of the party I have loved and served for the greater part of my life.

I here quote a tribute to the services rendered my district from the then Chairman of the Joint Conference Committee on Public Buildings, informing me that he had taken care of in conference, items providing for public buildings at several points in Kentucky, including Catlettsburg. This building was to complete what I did six years previously in forcing a court at Catlettsburg for which action the people of that city gave me a beautiful watch and chain, valued at \$175.00 which I still wear.

COMMITTEE ON PUBLIC BUILDINGS AND
GROUNDS

House of Representatives U. S.
Washington, D. C.

May 23, 1908.

Confidential

Hon. John W. Langley,
House of Representatives,
Washington, D. C.
Dear Mr. Langley:

I saw to it that the Kentucky items in which you were interested were taken care of in conference. I do



Silver cup presented to author by City of New Orleans when he and other members of Congress were guests of city in 1910.
Each guest had a similar present.

not recall all of them, but I remember Bardstown, Lawrenceburg, and Catlettsburg. However, I had the memorandum which you gave me and saw that every one of the places named in it were taken care of.

With kindest regards, I am, always,

Faithfully, your friend,

E. C. BURLEIGH

It is proper, by the way, to explain that, following my sensational reelection to Congress in 1924, I awaited the issue of my appeal from conviction, and the Departments and all branches of the Government continued to recognize my status as before, while I transacted my work entirely by wire and correspondence from my home in Kentucky. When the Supreme Court finally acted adversely on my case, having had my resignation already filed with the Clerk of the House, it was then presented and accepted.

I might mention here that the Washington morning papers carried, in March, 1924, photographic stories to the effect that I was the "other" Congressman, hitherto unidentified, who along with Representative Zihlman had been implicated in an alleged violation of the Volstead act.

Filled with indignation, I arose in the House and delivered in my defense a speech of which the following is a verbatim report:

Mr. LANGLEY. Mr. Speaker, for some days it has come to my knowledge, in one way and another, that my name was being connected with the report recently made by the Chicago grand jury. My own inclination was to immediately rise and tell my fellow Members that it was not true so far as I was concerned. [Applause.] One reason I did not do so was that no specific charge had been made against me. I had assumed that in response to the resolution of the House of yesterday that by this time we would know who of this House is accused of violating the law and his official

trust, but that information has not yet been received. However, a reputable morning paper contains my name and, in substance, the statement that I was one of those who would be accused.

My fellow Members, I am acting against the advice of some of my best friends in speaking now in advance of such report, but I can no longer remain silent under these statements. [Applause.]

I have served this Government in an official capacity for more than 30 years, nearly 18 of which have been as a Member of this great body. My life has been an open book. I have gone in and out among my people and among the membership of this House during these years, and this is the first time that any aspersions have ever been cast upon my personal or official integrity. Coming as I do from a Kentucky mountain district, where the people value honor higher even than human life, it is but natural that I should feel shocked at such an accusation, and while no report has yet been received, if the newspaper stories are correct and such a report does come to this House and that report should contain my name, I ask of my colleagues that a forum be immediately created wherein I can at least exercise the right established at Runnymede to stand face to face with my accusers [applause], and where the truth can be speedily disclosed.

Without any specific information I can, of course, enter into no specific denial, but I have this to say here and now. In the presence of Almighty God and these witnesses I have committed no crime. [Applause.] I have done no wrong, and I confidently rely upon a speedy vindication at the hands of my colleagues of this House.

Not only am I anxious if such a report comes in, but I insist upon an immediate investigation of any charge that may be made. Conscious as I am of the uprightness of my personal and official conduct I shall ask, yea I shall demand, as a Member of this House the appointment by the Speaker of a committee which shall be given full power to summon and swear witnesses, to send for persons and papers, and take such action as will bring the truth to light. God helping me, I want the truth, the whole truth, and nothing but the truth. I want at least in the meanwhile to have in the minds of my friends and in the minds of my constituents and in the minds of my countrymen at least as much right as the criminal and the crook have of being innocent until proven guilty.

and the crook have of being presumed innocent until proven guilty. I thank you. [Applause.]

Having anticipated the subject that I was about to speak upon the entire Chamber on both sides had first arisen in a body to applaud me, following with equal applause when I finished. Almost all of the members then passed by me in line, shaking my hand, some of them with wet eyes.

Congressman Upshaw afterwards arose and addressed the House as follows:

Mr. Speaker and Gentlemen, I simply want to say that all of our hearts have been stirred by the brave and manly words of our colleague from Kentucky (Mr. Langley), and I feel that I would be recreant to every impulse of loyalty to the honor of this House and loyalty to a long friendship if I did not indict from my own standpoint as a citizen and as a Member of Congress the reckless way in which the Department of Justice has given publicity concerning Members of this House. [Applause.]

The gentleman from Ohio (Mr. Longworth) said a striking thing yesterday when he brought out the fact that in an interview concerning this matter a representative of the Department of Justice had confessed that this testimony and these insinuations were made by men who were generally believed to be criminals and crooks. [Applause.]

Listen, it would have been the ethical act of a careful representative of the Department of Justice to have kept from the public any aspersion whatever concerning a Member of this House until they were ready to substantiate that charge. [Applause.] I feel constrained to say that as a Member of this Congress, as a loyal friend of the gentleman from Kentucky, but more than all as a friend of the honor of every Member of this House,—yea, and I may say that as a known friend and defender of the cause of personal and national sobriety I want to protest that never again shall any department of this Government broadcast any kind of aspersions against the honor of this House until they are ready to deliver the goods. [Applause.] The first word should not be spoken until the last word is ready.

I indict the reckless and half-baked way in which the honor of our colleagues has been attacked, and I rejoice to give my hand to the gentleman from Kentucky (Mr. Langley) and the gentleman from Maryland (Mr. Zihlman) whose names have been mentioned, and say to them in this presence that I have full faith in their honor as patriots and gentlemen. [Applause.]

Following my departure from Congress my dear wife, Katherine Langley, as is well known, was elected in my place and stead from the 10th District, and has carried the ticket to victory once again since then. She has followed faithfully my traditions and policies of understanding, loyalty to trust, conscientious honor and devotion to the interests of our beloved state.

Let me boast with a clear heart and soul that my private and public life, throughout all my thirty-seven consecutive years of service at Washington was always an open book, that friends and enemies—and no man but has his enemies—alike can read. Indeed I felt that little more was needed here in that regard, than the bare chronology of my legislative acts.

I might add here that I have always been in debt since I first entered Congress. My father who was an elder in the Christian Church for about forty years was a helpless invalid during the last twenty years of his life, and I supported him out of my small salary, until his death in 1910. I did likewise for my invalid mother.

When I was first elected to Congress in 1906, \$235.00 was all the money I possessed. I made the campaign on borrowed money and when my wife and I went to Washington, I sold my campaign horse in order to raise enough money to make the trip. We lived in one small room and bath during that winter, which room I also used for my Congressional work until the house office building was ready for occupancy. During my two succeeding cam-



Home of the author during unprecedented flood of March, 1929, where he was marooned with his grandchild from the balance of the family for two days and nights.

paigns I borrowed what money I could (although I still owed much money from my first campaign) and with what money I could get by giving advance checks on my salary up to the end of my previous term.

During all of my political life, I have been more or less heavily in debt, borrowed money wherever I could, trusting to luck to be able to repay. Dozens of my colleagues in Congress have endorsed notes for me from time to time, and I have also had personal friends outside of Congress, to endorse notes for me at different banks. It was my uniform custom in the years when I was not a candidate to give all the financial help I could to friends in my district, who had helped me when I was running. I have many times solicited contributions for that purpose from friends of mine who were able to help and who of course did it partly because of their friendship for me.

I remember one year, 1912, when I had practically no opposition. My affidavit filed with the Clerk of the House of Representatives showed an expenditure by me during that campaign of nearly \$3,500.00. In the year 1920 when I was unanimously renominated and had no opposition from either party, I not only made speeches in different sections of the state, but went to practically every County in my own Congressional district and aided in raising funds for the ticket, frequently heading this subscription list. My contributions in that assistance totaled nearly \$1,000.00.

The interest on my indebtedness grew gradually heavier, and when I was urged to make curtailments I would usually borrow money from a personal friend or would have such friends in Congress and out, endorse notes in the bank for me and would use the proceeds to curtail or pay off existing obligations that were pressing. I therefore, gladly welcomed and accepted Mortimer's offer

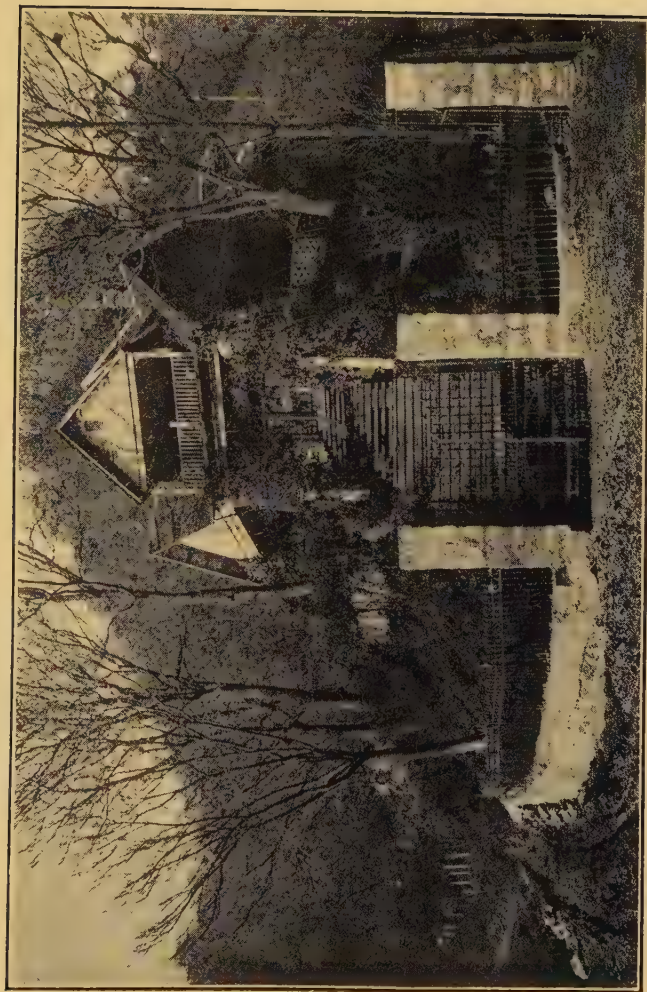
to assist some of my friends in Kentucky. I had always to raise the money this way to help my friends in years when I was not running, because the National and Congressional Committees never contributed to local races, certainly not in Kentucky, and to be truthful about it, I received but very little help from the National and Congressional Committees when I was a candidate. In fact, I do not recall that I ever received contributions from these sources except campaign buttons, badges, literature, and things of that sort. When cash was required, I always managed to borrow it in some way or other if I did not have it myself, and I think these committees knew that, and this was the chief reason why I never got any cash contributions from them.

RESUMING MY STORY

What may prove more interesting to most readers are some personal reminiscences covering this extended span, and I trust such memorabilia may not alone interest but also communicate something of the ineffable charm and color of the historic Kentucky hills where I was born and so long have had my home.

Although not previously noted, I might state that I was engaged in the practice of law from 1886 to 1890, particularly at Prestonsburg, Ky., from which town I moved in 1908 to my present home at Pikeville.

It may well be imagined that the experiences of a young disciple of Blackstone in the mountain districts of Kentucky, 40 odd years ago, were sufficiently picturesque and penurious ones. It was in 1886 that I hung out my shingle in Prestonsburg, Floyd county, usually riding to and fro on horseback from that place, the county seat, a distance of about two miles, mornings and



Our present home by the riverside at Pikeville, Ky.

evenings. The first retainer I had, I recall, was before a Justice of the Peace twenty miles out in the deep-hilled wooded country. This old jurist seemed a little antagonistic towards a "college graduate" and when I moved to dismiss the case on the grounds of non-jurisdiction, he rather testily replied: "Waal, I aint a guyin' ta let ye do it." When I then read from a copy of the code I had brought with me, he loudly declared that I had to read out of his book instead of mine. It turned out I was right, but he overruled me. I then requested and secured a jury trial, conscripting bystanders for the panel, who against the admonitions of "His Honor" promptly decided in my favor. For my fee I received a ten dollar bill—and dinner for my horse and myself!!

However, this premier forensic triumph gave me quite a local reputation, and a few days afterwards, as I was riding up Middle Creek, an old friend who lived nearby accosted me, asking that I should meet him at the county seat the following Monday, the first day of Circuit Court.

He said a suit had been filed against him, involving the title to some land; he wanted my help. As he was rather well to do, naturally I was elated over the prospect of maybe a \$100.00 fee. On Monday when I met him at the courthouse, he took me out to the edge of town in the shade of an old elm tree. He had the papers in his case and after reviewing all the facts with him, I said I was satisfied the law was on his side, at which he seemed very much pleased. He then arose from his grassy seat exclaiming "Much obleeged to ye, Johnnie. I 'lowed you knowed; that's the reason I axed ye." Whereupon he picked up the papers and walked off without even suggesting that he wished to retain me and without the slightest mention of a fee. So disappointed and disgusted

was I that I never made any inquiry as to the outcome of his case.

Once during the summer months while teaching school on Little Paint Creek I boarded at the home of an old Democratic friend of mine, a splendid type of the true mountain character, and incidentally intensely religious. His wife, near his own age and equally striking in her deep piety, presided over the home with a marked dignity. Their two unmarried sons lived with them, the remainder having established homes of their own. One of these boys was named Zachariah and they called him "Zackie" for short and he and I were great chums. We were usually up at the "peep o' day" attending to the chores before breakfast. One morning at sunrise we went over to see what was disturbing the chickens which were cackling furiously. Suddenly a chicken hawk flew up the hill and lit on a limb there, about 75 yards away, "Zackie" ran in and got his daddy's old flintlock rifle and, running out in the road leveled the ancient fire-piece at the hawk. At this moment his daddy, evidently aroused by the uproar came to the door in his night clothes, shrieking, "You, Zackie, don't you shoot up the hill at that hawk, you'll strain that gun!" As the boy did not dare disobey his daddy's command the hawk escaped.

At this point I might diverge briefly to speak of the frequent inuendoes at my trial—as to my indulgence in the use of intoxicating liquors, a slur aimed at me many a time in my more recent campaigns. This charge many of my friends have advised me to ignore in my book. However I will never dodge an issue and I desire now to speak frankly and truthfully about the matter.

I am not going to defend the habit although I know that very many thousands of good men practice it more

or less. It has indeed been hinted by many others before me that many of those in the House and Senate at Washington who vote dry are not averse from paying frequent devoirs to good old John Barleycorn. It would not be fair nor right for me to either voice or substantiate this accusation, and there is after all the adage that a man's private life and habits are really independent of his public acts.

I recall that grandpap Click used to tell me that for three-quarters of a century he took "a big horn" every morning before breakfast, never drinking again until the next day. He said the "habit" never took hold of him, nor did his potions ever hurt him in the least as indeed his ripe old age of 107 years certainly proved, but my observation has been that he was an exception to the rule. Any liquor at all is too much for most people—and I am one of that class. My life would have been better and more successful beyond a doubt had I never touched the stuff. As I look back over the period preceding these particular attacks upon me by my enemies, I recall that it was almost entirely weakness of will and the sinister wiles of certain intimates who were trying to take advantage of my weakness that caused whatever indulgence in drink that I practiced. Had I avoided drink and kept my mind perfectly clear, I might have avoided the web of intrigue that began to be woven about me, 8 or 9 years ago.

I never indeed realized that the habit was harming me until about the year 1920. Let it not be inferred that this realization was in any way coincident with the appearance of the Prohibition Law. One reason for my quitting drink was that advancing years made me more vulnerable in mind and body to its effects. And I want everyone to know that many months ago I stopped short

in the use of intoxicants in any form, and will never change my resolve. But I do not wish it understood that my own abstention will constitute a text for criticism of those who still like their toddy. That is entirely their own business, so long as they do not interfere with the enforcement of the law or with the rights and liberties of others. I simply make a statement of my personal attitude.

I recall that one day the Honorable Frank Lowden and I were returning to the House from lunch when we met Hon. E. Yates Webb, then a member of the House and leader of the Prohibition forces in the House and now on the Federal bench in North Carolina. A representative of the saloon interests came up at the same instant. During the conversation Mr. Webb proposed as a compromise and a permanent settlement of the matter that the saloon be abolished.

Considerably more than half of my life has been spent in Washington, and I doubt if anyone now in Congress has had a wider opportunity to become familiar with the official and social side of the government. It is a popular insinuation that Congressmen and Senators notoriously vote "dry" and drink "wet." I do not pretend to claim that the members of either House *never* take a drink, any more than that I never took one, although my own indulgence was, for partisan purposes, always enormously exaggerated. I have always believed that *any* drink is too much for some persons, as I know it is for me. I voted for the Volstead act really for another and quite distinct reason. It was certainly not because I thought it would eventually abolish the manufacture and sale of intoxicants, which to me seems a dubious prediction, but to remove the temptations offered both sexes of the younger generation by sight of red, white and blue bot-



*Columbus made an egg stand up;
John Langly fried one without fire.*

The author fried an egg one hot day in August, 1922, on a piece of glazed paper on the east front Capitol steps. This picture was published all over the world and he received scores of letters about it from different foreign countries.

bles in the windows of the old time saloon, and hearing the carousing within, arousing their curiosity and ending almost always in deplorable consequences.

While on this subject, let me say that I do not for a moment question the supposedly lofty impulses of the reformers. For while I belong to their ranks in the sense of being a "total abstainer" it has been my conviction that "practice should agree with preaching," and I do not admire the spectacle of rabid temperance advocates, many of whom have looked upon the wine when it was red for half their lives, suddenly taking the warpath against those who are doing only what they once did themselves. The trouble with Prohibition in my mind, and a trouble which may persist, is this holier-than-thou attitude assumed in its attempted enforcement.

I can only add that if there is any class of human beings who deserve the sympathy and admiration of their fellows, it is that class which, after years of alcoholic excess and all the miseries that accompany, have freed themselves from their shackles and become upright, useful citizens. At the same time all our hearts go out to the unfortunates who swam valiantly against the current of human weakness, finally to sink forever beneath its waves.

However, irrespective of my inflexible belief that immoderate drinking is injurious to health—which was my principal reason for supporting the Volstead act—I must still admit that the lofty predictions made that Prohibition would lessen crime, and empty the jails as well as the saloons, is unfortunately far from an accomplished fact. It is painful to record that the jails are fuller than ever—and crime rapidly increasing. In fact the "Hip-Pocket Brigade" seems to have taken the place of the saloon and nothing can be sadder than the sight of boys

and girls of our generation both within and without uncounted "speakeasies," indulging in the wildest alcoholic excesses. Twenty years ago these boys and girls would not have known the taste of liquor.

Even Mrs. Willebrandt has shed salty tears over the situation, and I have been puzzled to decide whether her series of articles in the *New York Times* are a championship, a defense or an apology for Prohibition! She has frankly admitted in these articles that drink can now be got "anywhere in the United States," and with her recent eccentric and sometimes notorious methods of enforcement she merely changed peaceful indulgence into rowdiness and contempt for law. She contents herself in short, with the usual feminine answer, "I told you so."

I clip from one of her articles in the *New York Times* of August 9th, 1929, this absolutely amazing confession:

I refuse to believe that out of our 100,000,000 population and perhaps 20,000,000 who believe in Prohibition, 4,000 cannot be found who can't be bought! I know a pride of service must be developed.

In a later article, Mabel writes:

"Senators and Representatives have appeared on the floor of the Senate and House in a drunken condition. During the closing days of a recent session of Congress one Senator objected to and prevented the passage of important legislation while in such a condition of intoxication that he had to hold to his desk to keep himself upright. Colleagues argued with him in an effort to persuade him to leave the chamber, but he refused. His condition was apparent to every member of the Senate and to hundreds of people in the galleries."

"I think that probably nothing has done more to disgust and alienate honest men and women who originally strongly favored the Prohibition amendment and its strict enforcement than the hypocrisy of the wet-drinking, dry-voting Congressman. Bootleggers infest the halls and corridors of Congress and ply their trade there."

I regret even to have an ex-enforcer of the Prohibition Law admit that only one fifth of our population of 100,000,000 is in favor of the high moral and social standards for which Prohibition stands. You know and I know that it is not true, but if it should be so, what chance has Prohibition enforcement to succeed?

I think the severest blow that Mrs. Willebrandt ever struck Prohibition is her statement quoted above, that men in both Houses of Congress have, and recently, been so noticeably drunk on the floor that all the galleries knew it and their associates on the floor knew it. As the New York *Evening Journal* asks: "*Why don't those who make such assertions tell who it was?*" By making that statement without telling the whole truth about it, the one who makes the assertion strikes a death blow at the very fundamentals of our Government. No wonder that she is without a Government job! I have had more than thirty years of opportunity to know whether the statement is true or not, and I say unreservedly that it is *not* true.

I must, however, go back a bit here to remark that in all the foolish speechmaking made by Mabel in the 1928 presidential campaign, it was significant that the one place she kept a long distance from were the Kentucky mountains. She invaded Ohio and the western section of my home state, but when they offered her to the hill people she was told that if she ever came she would be effectively escorted out again. On receipt of this decisive information, Mabel promptly trekked northward. A word to the drys is sufficient!

This is a history of my persecution let me emphasize, and not a text book. But I am going to take the liberty of offering just a few suggestions of needed changes in the law governing Federal judicial trials. The Court that

would even sit in a case when prejudiced against the defendant, or would say things in the presence of the jury, the manifest purpose of which is to influence their verdict, should be immediately and forever disbarred from the bench. A United States Attorney who would resort to the same thing should have a similar penalty applied to him.

The suggestions that I have offered to the President's Crime Commission regarding the Circuit Judges could with entire propriety be extended to United States Attorneys. They have no business of seeking to pack juries against one whom they do not like, or against whom they have an imagined grievance. They have no business to use vile and bitter language against one whose conviction they think will glut their vengeance or boost their professional prestige. The man or woman who does that disgraces their Government and dishonors the places they occupy. The thing for them to do is to see that the law is fairly applied on both sides in the name of Justice, instead of resorting to tricks, and in fact to any "scheme" that will accomplish their unworthy ends. I do not ask my readers to read all of the vicious, vile, contemptible words used to the jury against me, most of which the evidence did not even touch upon. To one who has lived an honorable, upright life, spending nearly all of it in working for his friends and his country, to be called a Benedict Arnold, and a Judas Iscariot, and referred to in other like terms of derision and disgrace, I could not blame a fellow much who had to hear this, if, having his knife in his pocket, took it out, opened it and half rose from his chair and was restrained by a friendly hand gently pressed upon his arm, from trying to do what he had it in mind to do—cut his heart out of him.



Photograph of Panama Congressional party, 1907. The crowd had me take a maddock in my hands in act of digging showing me as the "Turnpike" advocate in Congress.

HAT IN WHALE'S BELLY

Resuming the reminiscent vein, I still indulge in a hearty laugh in connection with a trip by water made with a Congressional party in 1907 from Panama via Jamaica to New York. In Jamaica a friend had presented me with a new and truly gorgeous panama hat, the first I had ever owned and which I wore on shipboard the second day out, (when we were on the Indian Ocean) with a great deal of pride. These hats as everyone knows are very light in weight, and I do not think I had been on deck more than 10 minutes when the beautiful piece of headwear blew off my head, sailing through the air to light on the topmost deck near the funnel. I scrambled after it, but just as I reached it,—a way which all hats seem to have, it flew off in parabolic circles landing on the water in the wake of the ship. A shoal of whales instantly appeared no doubt drawn by the unusual floating object, and we felt sure we saw one of the whales swallow the hat. There was great merriment on board at my expense but we soon forgot all about the incident.

What was my amusement, sometime after returning to Kentucky, to receive a newspaper clipping from a Congressional friend who had been on the trip south with us, and had seen the incident, in which was stated that a whale, captured on the coast, was found when cut open to have in his stomach a half-masticated Panama hat! Doubtless it was mine—and I can truthfully call this a whale of a story!

To give variety to my narrative I might include here from the original copy in my files a poem written by an old and devoted friend of mine, J. D. Meade of Kentucky, a writer of most unusual gifts. This insertion is most pleasurably made in answer to his request.

TO JOHN W. LANGLEY

By J. D. Meade

The loftiest tree that spreads its arms,
Shows marks of oft-repeated storms;
The rarest bird the woods can boast,
Is one that's often hunted most;
The costliest fruit in orchards found
With heavist Clubs is circled 'round;
The brightest mind and truest heart
Is choicest mark for envy's dart.
On life's rough ladder, round by round,
Are bloody footsteps always found;
So Langley as he toils and climbs
Must breast a stream of little minds;
Must look and melancholy brood
On base and black ingratitude.
But slanders idle, without ruth,
Will beat in vain 'gainst bars of truth,
Though falsehood's arrows sting and gall
On armored truth, will hurtless fall.
Though foes may cloud a name with dust
The years are seldom found unjust.
He who by treachery enthralls
Must wince when compensation falls.
The soul that's noble, true and great,
With heart too big to nourish hate,
Howe'er the storm of discord, rings
Can never stoop to baser things;
But far above the lowering cloud,
Will love, that soul so justly proud
Till time, with thick'ning honors, spread,
The cherished sunshine 'round his head.
So Langley's name will live and strive,
Falsehood fall and truth survive.

A very comical anecdote attaches to the campaign, in 1911 of Judge Edward C. O'Rear for the Republican nomination for Governor, which I managed. In view of my successful efforts the Judge insisted that I also direct his campaign for election in November, to which I finally agreed, although I met with failure. Returning home I was much worn out and secreted myself from visitors on



Hello, Boys!

Faithfully yours
Franklin D. Roosevelt

Popular campaign picture of author before Woman Suffrage.

the train. When we arrived at Ashland, Ky., there was a wait of 30 minutes for the Big Sandy train. An old friend from that section hunted me out, whereupon we had the following conversation:

"Well Johnny, they beat us, didn't they?"

"Yes, rather decisively. The cards were really stacked against us."

"Well Johnny, I was not much surprised. The people of Kentucky have not yet reached the point where they are ready to elect a high-class Christian gentleman for Governor. They prefer a sinful, rollickin' sort of a fellow.

Then followed a pause when my friend abruptly remarked:

"Johnny, do you know you would have made a hell of a fine race for Governor!"

In my succeeding campaign for Congress next year I happened to pass near where my friend and his old lady lived. Turning my horse I rode up to the front of their home. His wife, Aunt Judy, came to the door and said: "Get down, Johnny." I asked her where Uncle Si was. "He's up thar in the field somewheres," she replied. "I'll go up and tell him and he'll be right down, when he knows you're here. Go on in, you know where the kraut jair is." Locating the "kraut jairs" in that section of the country was a specialty with me—I guess I knew where at least one hundred of them were. I went in, lifted the rock off the kraut and by the time she and Uncle Si returned I had three jars well filled with kraut for our attention.

Some days later I was to speak at a point several miles below Uncle Si's home. As he started out for the meeting he happened to see an old Democratic friend of mine at work in the fields and hollered out to him, asking if he was going down to hear me. The answer was, that he had so much work to do he guessed he couldn't attend.

Whereupon Uncle Si shouted: "You ought to go down and hear the God Almighty's truth once in a while!" A day or so afterwards, meeting this Democratic friend of mine, he told me he was for me anyhow, despite his politics, but he wanted me to keep Uncle Si from saying so many mean things to him. I believe I did so, and I know I got my friend's vote.

COL. HERT'S DEATH

I have an interesting memory of the late Col. A. T. Hert, Republican National Committeeman, who died in Washington, of apoplexy, early in June, 1921, for the reason that I was the only one present at his passing. In his room at the Willard Hotel on that day I was discussing some appointments I wanted him to make. He had been ill through the night and lay in bed in his pajamas while I talked with him. While his secretary, Mr. Chilton, now Republican National Committeeman, was absent from the room on an errand, Col. Hert arose from the bed to sign some papers for me at the table. With some joking remark, and assuring me he would soon be well, he propped himself up in bed to rest a little. I turned from our conversation for a brief glance out of the window when I heard him gasp, and saw him with his head turned back struggling for breath. Although I spoke to him he did not answer me. I tried to aid him but discovered he was in a desperate condition and telephoned every physician I knew in the neighborhood.

I also called President Harding, Attorney General Dougherty, Secretary of Labor, Davis and Senator Watson of Indiana, all of whom were his intimate friends, telling them of his tragic condition, and to hurry over. Although the doctors labored hard he was pronounced



Scenes in the Breaks of Big Sandy, said to be the most gorgeous among the many beautiful scenes of the entire Appalachian range.

dead a little later, and before his old friends had arrived. The room was soon packed with people. I called Mrs. Hert (now chairman of the Womens Republican National Committee) at Louisville, telling her of his death. She insisted that I take charge of affairs and come with the body to Louisville, which I did. When I reached that city, I went with Mrs. Langley and Mrs. Christine Bradley South to the widow's home and she made me relate again and again every detail of her husbands death. Will Hays then postmaster general, Mrs. Langley, Mrs. South and I had selected the funeral trappings that evening in Washington before we started with the funeral party for Louisville on the night train.

I have always been a great lover of the banjo, playing it fairly well, and recall an amusing incident in this connection. In one of my campaigns, I think in 1914 I was traveling alone on horseback on the headwaters of the north fork of the Kentucky River, close to the Virginia line. Suddenly I heard the tinkle of a banjo and soon saw one of the natives sitting in a chair in the front yard with the instrument in his hand. Suddenly he began a vigorous strumming, singing these lines:

"Me old jeans coat won't kiver me back,
Me shoes won't kiver me toes,
Me old slouch hat is all flapped down,
And the brim is a techin' me nose,
Buckle up the backin' strap, wo, Beck, wo!
Who's that a pickin' that banjo so?"

The odd melody and words, and the lively manner in which he picked out the tune, so pleased me that I called to him. I then made myself known, borrowed his banjo and plunk-plunked off a few pieces of my own. For a half-hour I almost forgot I was a candidate, enjoying such a delightful time and went away, listening to his

pledges of eternal support*for my candidacy, which I know he carried out.

Langley Field, Virginia is so well-known as an aviation center, it might be interesting to recount a funny incident connected with my visit there in 1920 with the Assistant Secretary of the Treasury, Senator McKinley of Illinois, and several other members.

Our purpose was to inspect the coast guards at the Field and while we were in the midst of the exercises I could not help noticing that the boys in passing would often exclaim, "That's him, that's him!" wondering what they could mean, I finally asked one of the officials, who told me that the rumor had spread there that I was Professor Langley, the inventor of the first airship, after whom the field was named, I dismissed it jokingly, informing them that I was only a distant relative of that distinguished pioneer, although we belonged to the same family tree. While on this topic I recall that during my first term in the House, I was accused by Congressman Curley of Boston of supporting an appropriation of \$15,000.00 to aid Professor Langley in his work because I was his kinsman. This I resented and had his words taken down under the rules of the House. Upon his explanation, however, I withdrew the whole proceeding and we became fast friends. Some years later he was elected Mayor of Boston.

While on aviation subjects I remember the *debacle* associated with the airship "Roma," purchased for an immense amount from Italy, sent here in separate parts and reassembled, an extra expense I never could understand. The ship was to make its maiden and trial trip from Langley Field to Washington a few days after our visit to the latter place and I was invited to be one of the guests. I gratefully acknowledged the invitation, but had

no intention to become a passenger, because I have always refused to be a participant in this form of travel. One afternoon after adjournment, I was in a Washington street car with some of the members, when one of them called my attention to a headline "Roma Wrecked—Thirteen People Killed." I felt clearly enough that if I had been aboard the number killed would have been fourteen!

About the year 1893, I was boarding at a certain house with my brother, Theodore F., and some other Kentuckians. An old negro preacher frequently visited at the house, sometimes doing chores for our landlady and he always wanted to talk to us about the Bible. One evening, to our great amusement this practice culminated in the following speech: "Does ye boys know what that language in the Bible means which says, 'De wind blowist where it listes at, ye know not whether it is a-common or a-gwine, but when ye hear it ye know its a-blownin'.'" Being anxious not to appear ignorant of the Scriptures in the presence of this distinguished parson we closed the conversation by saying, "Oh, yes, we know all about that, we have read it many a time."

DAUGHERTY LETTER

I am appending a letter, concerning which I desire to make certain explanations. My friend, Hon. Frank Clark, who at the time of which I speak, was Vice-Chairman of the Public Buildings and Grounds Committee, of which I was Chairman, was then visiting in Florida. He had made several efforts to see former Attorney General, Harry M. Daughtery, also visiting in Florida, on important official matters connected with Clark's state, but Daughtery had steadily refused to see him. Thereupon

Mr. Clark wrote to me at Washington, asking my good offices in securing an audience with Daugherty, and I wrote that gentleman accordingly. Shortly afterwards it transpired that Daugherty had been in the Chicago grand jury room, with Mrs. Willebrandt probably present along with others, and from Chicago the ex-Attorney General journeyed to Florida. His reply to my written request that he would kindly see Mr. Clark reads as follows:

THE ATTORNEY GENERAL
WASHINGTON

Miami Beach, Fla.,
January 30, 1924.

Hon. John W. Langley,
Washington, D. C.
Dear John:

I have your letter of the 25th inst. Congressman Clark has been trying to see me. If it is a personal matter he wants to talk about, I do not know any reason why I should take the time from the work I have on hand here and divert my efforts to get some rest in order to see him. Mr. Clark is like a great many other members of Congress—very persistent when they want something but when a man in public office is unjustly attacked they sit by, and by their inactivity contribute to the attacks being made without ever seeing an opportunity to come forward and do the manly thing. If Mr. Clark wants to see me about any public business, I will see him at the first opportunity; otherwise I cannot do so. I am here to be with Mrs. Daugherty and get some rest, and if I were to see all the people wanting appointments with me I would not have half an hour in the day to myself. I am under no obligations whatever to Mr. Clark. You see, John, I always have my nerve with me. I ask nothing for myself, for I can take care of myself, but if members of Congress, Republicans and Democrats alike, think they can go along and act as tho they were merely listening in like a lot of radio customers with no chance to speak out and talk back,

letting the country get the impression that everybody connected with the administration is a crook, they are very much mistaken about what will happen later on.

I hope you are well. Give my regards to Mrs. Langley. I will return to Washington as soon as I can safely leave Mrs. Daugherty.

Very sincerely yours,
H. M. DAUGHERTY

The reference of Daugherty to pretended friends of his in the House who had not spoken up in his defense was manifestly what he had in mind about my future when writing me this letter. As a matter of fact I was not on the floor of the chamber when the attack was launched against him, although I have since been convinced that he was seeking to divert attention from his Department to the Capitol. It is interesting to recall that it was shortly after Daugherty assumed the office of Attorney General of the U. S. that he appointed Mabel Walker Willebrandt his First Assistant. And Mabel is a girl who, whatever her other faults, has a long memory, especially for "favours received," and this marvelous retentiveness was displayed to the fullest degree when she testified during the trial in New York of her old Chief for corruption in office, which trial ended somewhat enigmatically in two disagreements by the jury, with final dismissal.

Mabel was a rather picturesque figure in the witness chair at both trials, sticking closer than a porous plaster to her former master. It was regarded as a somewhat scandalous incident when, on one occasion, she reminded the examining U. S. Attorney Emory R. Buckner, that she was his "superior officer." In fact her exhibitions in the witness chair drew some printed and unlimited private comment. Personally, I am unaware what Mabel knew or did not know about the facts, but I have for

a long time firmly believed that Daugherty was guilty, and that he was the progenitor of the Chicago cabal that culminated in my indictment. Forced into a dishonored retirement as he has been I try my best to hold no resentment against him.

The following is a copy of a letter I have received from Senator Thomas D. Schall with whom I served several terms in the House. He has been blind for fifty years and is known as the "blind Senator," and he is now serving his second term in the Senate. The most beautiful of the many things I admire about him and Mrs. Schall is their constant devotion to each other. Mrs. Schall does his confidential writing for him, and I have no doubt she wrote this letter, a full copy of which follows:

August 20, 1929.

Mr. John W. Langley,
Hotel Continental,
Broadway and 41st St., N. Y. City.
My dear John:

I am in receipt of your letter of August 16th and I wish mightily that I were in position to help. I, too, have gone through such persecution ever since I was elected to Senate. I have got ready to go to press a book entitled, "A Blind Man's Fifty Years, or From a Sod Shanty to a Seat in the Senate," and I am scratching everywhere to get it into print. "Oh, that mine enemy would write a book." I hope that through its sale I'll not only be able to get the real facts before the voters of my State but also get enough receipts from same to take care of necessary campaign expenses.

I am awfully sorry, John, for I have felt with you and for you in the matter and I am sure you will understand my inability to do anything for you especially at this particular time.

With kind personal regards, I am,

Very sincerely yours,

THOS. D. SCHALL

TDS/y

APPENDIX

Feeling sure it will give much pleasure to my readers, I wish to quote liberally here from an oration I delivered in March, 1908, on the occasion of the anniversary banquet of the Lincoln Club of Philadelphia. C. B. Landis, eloquent Representative from Indiana was also one of the galaxy of speakers. My address, which was keyed broadly to the topic "Republicanism in the South," was afterwards widely quoted.

Mr. Toastmaster, and Gentlemen of the Lincoln Club:

It was very kind indeed of you, Mr. Toastmaster, to give me such a flattering introduction. Of course you could not very well do anything else after the just tribute that you had already paid to the distinguished gentleman from Indiana, whose reputation as an orator is national in its scope.

As a matter of fact, gentlemen of the Club, I am just beginning my first term in Congress, and about all that I have had the courage to say on the floor thus far is, "Mr. Speaker, I ask unanimous consent to extend my remarks in the Record." Unfortunately "I am no orator, as Brutus is," but, as has already been intimated by the Toastmaster, I am a mountaineer and will therefore speak to you in a plain, blunt way. I may add, too, that I am laboring under an additional disadvantage, in contrast with my friend from Indiana, for the reason that I have not the distinction, as he has, of having a brother who has imposed a \$29,000,000.00 fine on a great corporation.

I thank you for the honor you have done me by inviting me to participate in these festivities. I deem it a great privilege to speak for the State in which Abraham Lincoln was born, and which today leads the column of the Republican party in the South. It is alto-

gether fitting and proper that on the occasion of any anniversary celebration of the birthday of Lincoln there should be a word from some representative of the South, if for no other reason than the fact which stands out so prominently and luminously throughout that momentous brief cycle of time between the 4th of March, 1861, and the 14th of April, 1865—the yearning in the heart of the great Emancipator for the children of the Southland. Throughout that struggle Lincoln's soul went out in compassion to the brave men who were fighting for a cause they believed to be holy and against the Union he regarded as sacred.

When my good friend, Congressman Moore, informed me that I was to receive this invitation, and that I would be at liberty to select my own topic, I at once decided upon the subject which has been assigned to me. I thought I knew something about it and that I could, therefore, speak about it without spending much time in preparation. You know that embryo statesmen like Moore and myself imagine that we are busy with the affairs of state, and therefore we regard our time as very valuable. When I began a few days ago to think of what I should say, and to read some history on the subject, I became conscious of how little I knew of the great sacrifices and little achievements of the Republicans of the South.

There is one thing I want to refer to at the outset: During my brief contact with my Republican brethren of the North I have regretfully observed that they wholly misunderstand the situation and purposes of Southern Republicans. There is a prevalent notion among them that we maintain an organization chiefly for the privilege of a place at the "pie counter" when the Republican party is in power in the nation. With "malice toward none and with charity for all," I want to deny that. I have noticed, and noticed frequently, that Republicans not Southern are afflicted with the same weakness, and that many of them, even while indulging in these criticisms, not only have a piece of "pie" in each hand, but sometimes an extra slice stowed away in their pockets. It would be folly to deny that Southern Republicans are moved by ambitions, sometimes personal, sometimes selfish. In that respect they differ not at all from their fellows elsewhere, nor in fact from mankind in general. But I do deny that they follow more than Republicans anywhere else the injunction—

"Get place and wealth, if possible by grace;
If not, by any means get wealth and place."

Speaking for Southern Republicans in general, but more especially for those of the border states (to one of which I belong), I feel that we are legatees of the unfilled purposes of Abraham Lincoln. I believe that if he had lived he would have counseled us to do just as we are doing; to pursue the policies we are pursuing. We still cherish Southern ideals, so far as these are compatible with present conditions; but we live for the present and the future rather than in the past. Many of us are native sons of the South; many others are sons by adoption. We are all united, in the broader sense, working for the advancement of the community with which we are identified, and seeking to promote the prosperity of every village, every city, every county, every State—so that the greatness of each and all of these may be reflected in the greatness of the republic.

Southern Republicans have no aspirations that may not be cherished with equal pride by Republicans in any other part of the country. Their patriotism is just as unsullied, just as unselfish, and they are just as ready to sacrifice personal interest for the common weal and to subordinate the interests of section to the demands of the nation. Nay, I claim even more than that for some of them, for there was a time when to be a Republican in the South meant much more than it ever could have meant in the North.

It is well to remember that when the War of the Rebellion broke out there were many thousands of men loyal to the Union in more than one Southern State. It was the Unionists of Kentucky and Missouri who held those States in the Union, and it was, likewise, they who carved out of the Old Dominion the State of West Virginia, now a Gibraltar of Republicanism. Nor must it be forgotten that in Eastern Tennessee, as well as in the Old North State, thousands left their homes, and, breaking ties of family and friendship, went across the line and enrolled themselves in the armies of the North.

When I say "armies of the North," I do not use a proper term. I was convinced of that fact a few days ago during a conversation with that splendid American and great jurist, Justice Harlan. I referred to the "Northern army." I shall never forget his retort. He

said, "Northern army? There was no Northern army; there was a Union army, and I joined it because I believed in maintaining the supremacy of the Union, and I subordinated every other consideration to that. I am Southern born and bred, and I am proud of it. I love the South. If it had been the 'Northern army' I am not so sure that I would have belonged to it."

If Kentucky and Missouri had been lost to the Union, who knows how far that loss might have affected their neighbors? I want to say for Kentucky—although I have heard the contrary asserted—that whatever views her people may have had on other questions, there never was a moment from the beginning to the close of the Civil War when a majority of them did not stand for the supremacy of the Union.

Do not misunderstand me. I am not contending that these men were all Republicans, for many of them were Democrats, and are still Democrats, and many more who fought for the "Lost Cause" are now Republicans upon the issues that have arisen since the war. But I do contend that the principles for which the Unionists stood were in many respects identical with those great national policies upon which the Republican party of the nation is founded.

My reading of history convinces me of another fact, and that is that the views of Southern Republicans are in a great measure the same as those of the old Whigs of the ante-bellum days; that we stand, in the main, for the doctrines for which the great leaders who were the idols of the South in those days stood, and that these doctrines are growing stronger and stronger with the people there, as we get farther and farther away from the passions and prejudices of the war. I believe also that but for the questions that arose preceding, during and after the war, and which for the time being overshadowed everything else, these earlier doctrines of the Southern leaders would have resulted in the South being largely Republican today, instead of largely Democratic.

In consequence of these changed conditions, that section of the country is sometimes referred to as the "new south," but this is a misnomer. It is merely the old south of the ante-bellum days rejuvenated by and responding to the spirit of this progressive age. The people of the south still honor the old heroes of the "Lost Cause"—honor them for their glorious deeds,

their matchless heroism—but the badge of Confederacy is no longer a guarantee of a vote for Democracy. Those who were against the Union are just as loyal to the stars and stripes as they were to the ensign they followed to Appomattox, and the victories of the nation in war and peace now thrill their hearts just as much as did the victories of the southern armies in the days of rebellion.

One needs not the gift of prophecy to foresee the profound effect upon the south that will be wrought by the impending changes in commercial conditions. In the coming contest between the great nations for supremacy in the world's commerce, the Pacific is to be the storm-center of the seas. The great markets of the Orient are just opening their doors. With the completion of the Panama Canal, these markets will be within easy reach of the ports of New Orleans, Galveston, Mobile, Pensacola, Brunswick, Charleston and Savannah, and this will make the southern planter and manufacturer the masters of those markets. Already the industrial activity that must inevitably come to the south in the near future has set in. It has a population of 26,000,000, and a property valuation of twenty billions. The annual value of the products of its farms is two billions, and of its factories two and a quarter billions, (an increase of 680 per cent. since 1890), and the value of its annual exports is \$650,000,000.00. Already it is becoming the commercial rival of the great west, and if not "southward instead of westward," then certainly "southward as well as westward the course of empire takes its way," will soon be our slogan.

The question naturally arises, What is the cause of this great industrial revival in the south? I am one of those who believe that it is due, principally, to the policies, national and international, for which the Republican party stands and which have been so faithfully and patriotically enforced under the administration of McKinley and Roosevelt, and that all we need to guarantee the continuation of this industrial progress in the South is the continuation of these policies. I do not wish to be understood as advocating a third term, or as some have called it, "a second elective term"; but I believe I am echoing the sentiment of the great body of southern Republicans when I say that we would rather have even a third term of a people's administration than one term so disastrous to the country as was the last one the

Democrats gave us and which, it is reasonable to presume, forecasts what another by the same party would be, except that they would probably grow progressively worse.

While we sit around this banquet board, prosperous and happy, and having a good time, the men who till the soil on the hillsides and in the valleys, who work in the mines and in the factories, who tread the slippery decks of the cars by night and by day, the men whose hands and faces scorch before the seething fires of the furnace—all this vast army of nature's noblemen are thinking of the policies that will best promote their interests. These plain people of the land have faith in Theodore Roosevelt, and we cannot win without their support. The Republican party need no longer look exclusively to the voters of the North for its victories. Already we have a solid Republican delegation in both Houses of Congress from West Virginia. Missouri has a Republican Senator, several Republican Representatives and Republican State officers, with the exception of its lonesome Governor. Maryland has more than once broken away from her old Democratic moorings. Tennessee and North Carolina have made records almost as good. In Kentucky we are justly proud of the record we have made. While a majority of her people were opposed to secession, there was never any effective Republican organization until the brilliant campaign of Harlan for Governor in 1871, when over 90,000 votes were polled for him, and a still larger number when he ran again in 1875. Since that time our vote has been steadily increasing, until now the Republican vote of Kentucky is considerably in excess of 200,000. These figures are the more striking when it is remembered that Lincoln only received in Kentucky 314 votes in 1860, and only about 1,300 in 1864.

When I saw my beloved father recently in the Kentucky mountains I told him that I was going to address the Lincoln Club at Philadelphia regarding the Republican party of the South. He asked me to tell you, if I thought it proper to do so, that he and his father, who were old Whigs, cast two of the 314 votes that Kentucky gave to Lincoln in 1860, and that he took a yoke of oxen and hauled grandfather Langley to the voting place, he being unable to walk that distance. I am proud to have this opportunity of obeying his request, and of paying, in this splendid company, a tribute to

two of the old Republicans of the South—my honored father and Grandfather Langley.

I know you Republicans of the North have the impression that the larger part of the Republican vote of the South is drawn from the Negro race, but I know that you are mistaken so far as Kentucky is concerned. True, there are thousands of Negro men in that State who are as loyal to the party as are the white Republicans, but I beg to remind you that we have nearly 200,000 white Republicans in Kentucky. We have not yet reached the point where we can count the vote ourselves, but we have learned to see to it that the other fellows count them right. We have just elected as Governor a man who stands for the supremacy of the law and who has the courage to enforce it with equal justice to all, and that the type of man for which Kentucky proposes always to stand.

BOYHOOD MEMORIES



Top.—Scene above grandfather Langley's old water mill.
Bottom.—Mound near which my father's parents settled when he was three years old, near Mouth of Spurlock Fork of Middle Creek.

Chapter II

PERHAPS nothing remains so firmly fixed in one's later memory as the persons, places and incidents of boyhood days lying far behind in a mist of half-romantic reminiscences. So I am writing this chapter believing that, to the many still living who knew and know my family and myself, and to Kentuckians in general, these recollections will prove particularly interesting.

I have retained a remarkable memory, and everything connected with those early days and struggles is as clearly imprinted on my mind today as if it related to yesterday, and will, I hope, so remain while life lasts. I was always an especial favorite with granny and grandpap Langley, and whenever I got a home spanking would always run across the creek to their cabin home, tell them all about it and cry it out there. I cannot recall that granny ever lost her temper with me, and I can remember only two instances when grandpap did.

Like most boys I had a weakness for building a dam in the branch, and putting up a "flutter-mill," and one of these I had erected back of their cabin. One day I conceived the idea of enlarging the flutter-mill, but had to raise the dam to get more water power. This I did without realizing that would make the water much deeper at the point where my grandparents were accustomed to walk across the branch. Grandpap Langley, whose advanced years had naturally dimmed his vision, had started that evening to walk across the branch, not noticing the amount of water collected—and had stepped

into it, the water pouring into his shoes! He was very angry, went to the dam and tore it out and kicked over my "flutter-mill." Not until the next day did I know of my great misfortune, and did not know what to say or do about it. However, I decided to build another dam and flutter-mill a little farther down the branch. In the meantime granny who was sitting on the porch saw me in the old grape vine swing in the stooping sycamore over the bank, and called to me to come up. She did not as I expected she would, mention anything about the accident to grandpap, and what he had done, but quietly asked me to read the 23rd Psalm, her favorite among all the passages in the new Testament. This I did; then she asked me to pray, both of us kneeling by our chairs, our heads reverently bowed in our hands. I do not remember this prayer verbatim, but the closing part is still quite clear in my memory:

"And O Lord please do not let grandpap tear out my dam and bust up my flutter-mill anymore."

Just as I raised my head after uttering this appeal my eyes fell upon granny, shaking with laughter from head to foot. My first thought was that she was weeping with joy over my invocation. But the next moment I discovered it was her uncontrollable merriment.

I am satisfied that granny told grandpap about this prayer, of mine, because the next day when we were both over at the old mill he suddenly said: "Johnnie, I am sorry I tore your dam and flutter-mill out, and I won't do it any more." I really thought that this was God's way of answering my prayer.

I yet had not learned to write, but I could read well, and many a time I read out of the Bible to granny and said a simple childish prayer on her cabin porch. On one

of these occasions, after I had concluded reading her favorite 23rd Psalm, she spoke feelingly of the beauty of the paragraph: "Yea, though I walk through the valley of the shadow of death, I shall fear no evil for Thou art with me, thy rod and Thy staff they comfort me."

I took a pencil, (I had not yet learned to write) and printed on the margin these words: "This is grany's tex."

Several years afterwards, when an old friend of the family, Rev. Elijah Baker, preached her funeral sermon, he held this book in his hand, commenting to the hundreds of people present on my childish inscription.

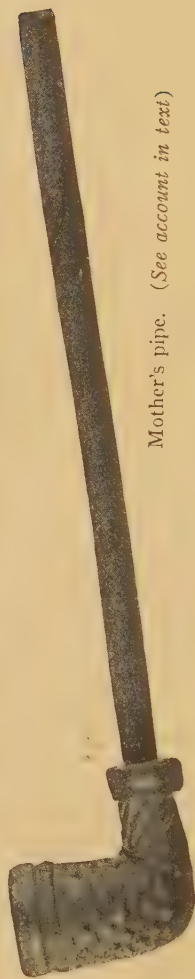
The only other time that grandpap Langley ever lost his temper with me, was when he again held me responsible for getting his feet wet. I helped him "tend" to the old water mill, and one day, through an oversight, I let the hopper get empty. Anyone familiar with such a mill knows what a commotion it makes when there is no corn between the stones, as they start bumping together. Grandpap heard the racket, knew what it meant, and started running as fast as he could towards the mill, yelling to me to shut the water gate down. But on account of the hubub I failed to hear him, and just stood still, waiting for him to get there. In his excitement, in trying to pick his way over the rail lying across the creek, he slipped and fell into the shallow stream, soaking his feet again. He blamed me for the accident—and it was two or three hours ere he regained his good humor.

Grandpap had a "toll dish" which he would fill out of every bushel of corn, before grinding. His instructions to me were to fill it heaping full and then pass a piece of board across the top, in much the same way as the old-time bartenders used to clean the froth off the beer glasses. He said this was the best way to do justice, both to ourselves and our customers.

It now is almost 50 years since grandpap Langley's death, the immediate cause being his garments catching aflame as he sat alone beside the old wood fireplace. I was not present when he passed away. His great age of 95 years rendered him helpless to fight his injury. Granny's death preceded his by only a few months, and I recall every detail of the scene as though it had happened yesterday. She had passed her 90th milestone, and died simply of old age. When she realized that the end was near she called all her grandchildren to her bedside who were present, saying farewell to each with a blessing. She called me last of all. "Johnnie," she said, "you know you have always been my favorite grandchild, and if it is possible I shall speak to you from another world. I have great hopes for your future. Be a good boy, and obey God's laws. Mother is waiting for me, and I must go."

Then she began: "Yea, though I walk through the valley of the shadow of death, I shall fear no evil, for —" here she suddenly ceased, stretched out her hands feebly, whispered "Mother" and in a moment was gone. . . . I imagined I could hear the rustle of these angel-mothers' wings as they softly flew across the river to Gloryland.

My father, Joseph Redwine Langley, died March 10th, 1910. During the last 19 years of his life he suffered three successive paralytic attacks, dying very shortly after the last one. Up to the time of the first of these seizures he had enjoyed robust health, and this attack occurred in December, 1890, while he was delivering a congratulatory sermon on Uncle Jimmie Click's birthday at Beaver Creek. . . . A great many years after his passing, in going through an old iron safe in which my father used to keep his valuables, I found a little wisp of



Mother's pipe. (*See account in text*)

- (1) Tintype picture of grandmother and grandfather Langley. (2) Tintype picture of grandmother and grandfather Click. Both pictures are over sixty years old and the only ones I have.
(3) Tintype of author when twelve years old.

gray hair with a note in his handwriting which read: "A lock of mother's hair."

On July 26, 1921, at the age of 83 years and 11 months, passed on my dear mother who, like all the rest, kept her mind calm and clear almost until she ceased breathing. Receiving an urgent summons I had rushed home to Pikeville from Washington, and was with her for about two days before the end. We talked much together, and she spoke continually of her trust in God and the certainty of the life to come.

I reproduce herewith a photograph of the old-fashioned clay pipe which my mother used for quite a time preceding her death. About three hours before her demise she turned towards me and, addressing me by a pet name she had originated years before, she said, pointing to this pipe, which lay on the mantel: "Cricket, if you will get my pipe for me I think I will smoke, if you will light it for me." This I did, and after a few puffs she wearily handed it back to me, turned over for a nap, and after that spoke no more. When I finally rose to look at her closely, she had vanished into death's dreamless sleep.

The still vivid and loving memory of my mother, now in Heaven, brings with it a truly curious and touching episode connected with one of her all too infrequent letters to me.

In January, 1929, I received from the Dead Letter Office at Washington a letter, the envelope bearing, as I later found, the following address: "John Langley, Galt House, Louisville, Ky." The postmark also unnoticed was August 21, 1911. Glancing rather hurriedly at the enclosure and noting the salutation "My dear Son" I laid the envelope with letter enclosed aside, noting on the former, "Not for me, opened but not read," intending to return it to the Post Office. That night, before going

to sleep, the letter returned to my thoughts, so I got up and read it through. And to my inexpressible astonishment, found it was a letter from my mother, written 18 years before.

I had actually been registered at the Galt House, Louisville, managing the State Campaign for Governor, at the time it arrived there, but the clerk must have carelessly mislaid it, and it must have gotten down behind some partition or into some crevice—for it was found only when the wreckers were working on the demolition of the famous old hotel. Someone then had forwarded it to Washington, and so it finally came into my hands. It was truly a voice from the dead—my mother again speaking after all those long years. I shall try to reproduce a photograph of the envelope to commemorate this most singular occurrence.

Mother speaks of her fatigue from gadding about, once to the Forks of Spurlock "to a Baptist foot-washing," and again to "a show at West Prestonsburg, where it was so hot that I almost roasted." It seems, from her letter, that most of the folks visited were ill of one complaint or another, and she professes how glad she will be to get back home again.

One of the unpleasant recollections attaching indirectly to this heartbreaking loss is that of the lying testimony of Elias H. Mortimer at my trial to the effect that he had given me the expenses of my sudden journey home to attend the funeral—as shameful and cruel an untruth as his statement that he had paid my poker losses on many occasions at the Oxford Hotel, Washington, when I had never in my life played there. A fact which I could easily have proved had I only been warned in advance of this part of his perjured testimony.

My mother's father, James Click, who lived to the ex-



Two views of Langley burying ground on hill opposite mouth
of Spurlock Fork,

traordinary age of 107 years, 2 months and 10 days, being known for the last 75 years of his life as Uncle Jimmie Click by all who knew him, was born in Virginia on December 20, 1790, at "Old King's salt works."

Uncle Jimmie never had any opportunity for an education, and never learned to either read or write. Very little was ever known to us about his boyhood years in Virginia. He did tell us once about riding behind his father, horseback, to Abingdom, Va., to see the immortal Revolutionary patriot. At this time he was about five years of age. He came to the Big Sandy Valley in Kentucky in 1801 or the "year one," as he always called it. Pike County then he said had only two or three houses built of logs, on the site where now stands the prosperous City of Pikeville, one of the foremost educational centers of the mountain. The Valley was then almost an untracked wilderness, still infested with roving Indian bands, and the hills alive with all sorts of wild beasts and venomous reptiles. A little one room log cabin stood on the site of my present home and in this cabin was held the first Court in Pike County. Order number one was issued there and is still to be found in the official records of Pike County.

Before very long Uncle Jimmie drifted into the Beaver Valley where one could travel miles without any sign of human habitation. He used to tell us children many harrowing tales of adventure in those days, while his attire included moccasins and leather breeches. One day he said he came upon an enormous rattlesnake, coiled in front of him, its spiral almost two feet high. With a bowie knife he cut a pole ten feet long, whittled one end sharp and, creeping up with great caution drove it through the reptile's head. His leather breeches were furiously lashed

by the rattle's tail, until it expired, when he found it measured nearly eleven feet in length.

He had a pair of hounds with which he often hunted deer, then quite plentiful. Once he wounded a big buck with massive horns, with the hounds in full pursuit. When he came up he saw the wounded buck holding them at bay, and when it saw him it dashed furiously at him. Around and around the tree he dodged with the buck after him, but being very fleet he gradually gained on the animal until he could reach its stubby tail, which he seized and drawing his bowie-knife he plunged it repeatedly into the animal's loin until it fell dead, from loss of blood.

Wolves were also very plentiful. One day Uncle Jimmie was out digging ginseng and was delayed until very late in the afternoon, when he started out briskly hoping to return home before dark. Suddenly, while still two miles distant he heard the howl of a wolf in a nearby thicket quickly answered by others in all directions. Uncle Jimmie redoubled his speed, but it soon became apparent that the ferocious pack were likely to overtake him. So he dropped his sack of ginseng, and hastily climbed the tree armed with his flintlock rifle. He had no sooner perched on a limb than the tree was surrounded by snapping and snarling wolves, jumping up the trunk as far as they could in their endeavors to reach him. Taking careful aim, he discharged his rifle into the pack as long as his ammunition lasted, killing several of them. At the smell of blood the remainder would instantly tear their stricken companions to pieces, and then renew their attempts to climb the tree. A high wind arose during the night, and there seemed imminent danger that the tree might topple over, and in this horrifying situation he remained until dawn. Luckily for his life, the pack, with

piercing howls as daybreak approached, slunk away one by one. Uncle Jimmie then descended, seized his pack of ginseng and proceeded homewards, meeting on the way a searching party who thought he had been eaten by the wolves. Perhaps one of Uncle Jimmie's most harrowing yarns was of a duel to the death which he witnessed between a bear and a panther. Once he was watching a "deerlick," armed with his old and trusty flintlock. Near him a large tree trunk had fallen across a ravine over twelve feet in depth. Hearing a noise he saw a large grizzly bear walking across the log. Just as he was about to shoot at the grizzly, a panther suddenly sprang from a bent tree above lighting squarely on the grizzly's back. Fighting ferociously, the pair tumbled into the ravine and Uncle Jimmie climbed down cautiously to investigate. He found both the animals dead, the bear having been completely disemboweled, while the bear had squeezed the panther to death. Uncle Jimmie then beat a safe retreat, leaving the combatents clutched in a death's embrace.

Indian marauders, whose headquarters were in the Scioto Valley, often traversed Sandy Valley, stealing and attacking. The tragic tale of Jennie Wiley, captured by redskins and held for months in captivity, her children butchered, was still fresh in the minds of those hardy frontiersmen. It was determined to rid the valley once and for all of its savage invaders, and a squad was formed, of which Grandpap Click was a member. They overtook their quarry near the mouth of the Big Sandy. None of the Indians were wounded, finally escaping in their canoes, except one fugitive who was cut off from his canoe and who started to swim across, bobbing his head back and forth to dodge the hail of bullets, and being lucky enough to reach the other shore in safety.

These and many other blood-curdling stories, which he always emphatically insisted were true, were heard by us children in wide-eyed wonder, as we listened by Uncle Jimmie's knee. Uncle Jimmie, by the way, had married when 32, a girl of Scotch-Irish descent, Jennie Salmons, whom he always called "Jinney." They lived a most happy life, producing a family of 10 fine children, among which my mother belonged to the youngest. Their married career was passed on the banks of Beaver Creek, about two miles from its mouth.

Two of the most enjoyable days of my boyhood were spent at Jimmie's home, my first visit there at the age of five years when I went with my mother. I rode behind her on "Old Dol" a sorrel mare which had been kept in the family for 23 years. It was an eight miles trip, spanning a mountain ridge where vehicles had up to that time never penetrated. It was on this occasion that Uncle Jimmie related his story of the memorable duel between the bear and the panther, and I almost seem still to hear his voice and see him as he told it.

Grandpap Click had lost some property at the hands of the Union forces during the Civil War, and when I began the practice of law I filed a claim for this loss, arranging to take testimony in the case at Prestonsburg. Putting Grandpap Click on the stand, I established the facts of the seizure and valuation thereof. Although well aware that loyalty to the Union was an essential "exhibit" in my suit, yet I did not put any such direct question to him, thinking that it might better come from the opposing attorney, although I assumed that Grandpap was a good Union man. And when I turned him over to the Government agent for cross-examination, the first question asked Grandpap Click was: "Uncle Jimmie, did you sympathize with the north or the south during the war?" Quick as a

flash the old gentleman, to my great chagrin, retorted, "Oh, we were all 'Secesh' of course." . . . That settled the case. Some years after granny Click died, Uncle Jimmie was at our house one Sunday for dinner, during a two-days' religious revival. Several neighbors' daughters were present, most under sixteen. While mother was preparing dinner they gathered about him on the porch, listening to some of his memories of long before. Suddenly one of the girls interrupted:

"Uncle Jimmie, why don't you get married again?" . . . In his rather quaint style of speech, he replied: "Waal, I hev studied a heap about it, but I hate to be bothered with another passel of children around me." With many giggles the girls abruptly scattered to other parts of the house!

When about 65 years old, Uncle Jimmie's sight failed him considerably, but some years later he acquired what is often called "second sight," which remained unimpaired until he reached almost the end of his days. At 90 years, from his front yard he detected without the aid of glasses, and killed with one shot, a duck in Beaver Creek nearly 100 yards away. He also grew a partial third set of teeth about that time, a phenomenon which I am assured by dentists is almost unique.

Possessed of a diverting sense of humor he sometimes carried it to a point hardly compatible with his devout Christian principles, as the following anecdote may attest.

On the very day that he was 100 years old, he rode to our house on horseback, his invariable mode of travel. While on his way to the pasture to get his horse, he passed the house of one of his tenants, and the Missus seeing him, exclaimed: "Well, Uncle Jimmie, they say you are 100 years old today!" "Yes," he replied, "I reckon I am." She then added, with a smile:

"Do you know, Uncle Jimmie, I would consider it a great honor to put my arms around the neck of a man one hundred years old." "What do you reckon your man would say about it?" parried Uncle Jimmie. "Well," she continued, "he's gone up Beaver Creek and won't be back until tonight, but I think he'd consider it just as great an honor as I would." . . . When Uncle Jimmie stopped short at this point, one of the folks asked him what he did about it. With a mischevious twinkle in his eye he replied: "Waal, don't you know I couldn't refuse a woman a little request like that!"

Grandpap Click died March 1, 1898. He met his death in a sudden and most unusual manner. Grandpap had been visiting his daughter Susan, my mother, nine miles across the hills to the mouth of Spurlock on saddle as was still his custom despite his great age. On returning, while near home, he stopped to chat with some neighbors who were working on a new rail fence. While he still sat in the saddle "Filly" happened to trip on her bridle rein and fell backwards, throwing Uncle Jimmie violently to the ground, fracturing his ribs. He was carried to the house but survived his injuries only 15 days.

To the end he maintained his faculties clearly. Shortly before the end he repeated his oft-expressed request that he be laid by the side of Granny Click and other departed members of his family on a rocky hillside overlooking his beloved Beaver Creek, and there he sleeps today. But the hand of modern progress has heavily touched the Beaver Valley since he went away. A railroad now traverses the lower level within sight of his grave, and the wilderness to which he came more than one hundred years ago is now a busy haunt of men, the development of many valuable resources bringing prosperity and comfort to his people. But the well-kept

graves of Granny and Grandpap have not been forgotten, and scarcely a day passes that travelers on the Beaver train do not peer from the windows for a fleeting glimpse of their final resting-place.

My grandfather Joseph Redwine Langley, always known as "Grandpap Langley" for whom my father his youngest child was named was born near Raleigh, North Carolina, in the year 1786; while he was quite young, his parents died; I know little about their history. However, I have often heard him state that he was a descendant of the first Governor of Jamestown Colony. When I visited there officially in the year 1900, I recall having seen a fragment of the Governor's tombstone with the Governor's name engraved upon it. The fragment had grown into the side of the tree and was two or three feet from the ground. When grandpap was quite a young man he came to the Clinch River Valley in Virginia where he met and married granny Langley, whose maiden name was Delilah Robinson. He always called her Lilee. She was related to John Robinson of Revolutionary fame, the first Governor of the State of Franklin whose wonderful record is so stirringly related in the late President Roosevelt's book, "The Winning of the West." My grandparents moved to Kentucky when my father was about three years old, trekking across the Cumberland through Poug Gap, passing near "Chimney Rock." All of their household belongings were carried in a covered wagon drawn by two oxen mules named Loge and Brandy, names which have been handed down to this day, among cattle belonging to our family herd. They stopped on the Cumberland Mountain to cut out a pair of mill rocks which he carried on with him to erect the water-mill, of which I have already spoken. They located near the mouth of Spurlock Fork of Middlecreek, the water of

which fork furnished power to run the mill. Many years ago the mill itself was washed away, but the stones are still there. From Virginia, grandpap Langley brought with him an old clock the mechanism of which was composed entirely of wood. Before I was seven years old, I had acquainted myself so thoroughly with its machinery, that I often took it apart when it got out of order and reassembled it to run perfectly. Often I attributed my later mechanical dexterity to that tinkering with the old clock. I recall that a Louisville lady author once published a novel, the scenes of which were laid in Big Sandy and Kentucky River mountain sections, in which she did me the honor to name the hero after myself. The famous Mrs. Cora Wilson Stewart, my many-years personal friend, sent me very courteously a copy of this work, requesting me to write a review of it.

I found, among many other inaccurate chroniclings, the purported account of a visitor from another part of Kentucky appearing in our district with a view to purchasing some coal land. He ran across the "hero" of the novel, conversing with him as he perched in his saddle. The account reads that finally the stranger took out his watch, remarking: "Well, son, I must be going now." Then ensues the following alleged conversation: "What is that?" from the youth. The man replies: "A watch." "What is a watch?" "It keeps the time." And from the youth: "What is time?" whereupon the traveler explains all about it.

Such fallacious and imaginary delineations, apart from this ludicrous one touching myself, abound in the book, and are a fair sample of the pictures of Kentucky mountain life and people set forth as genuine by writers who have neither visited the places concerned nor obtained even an ordinary hearsay description of them. To an old

"hill" native like myself, such purported pictures of the homeland, every foot of whose soil I know, and the places and persons therewith connected, awaken only an amused irritation.

One of my father's great interests was in building churches and schoolhouses; many of such structures still standing in Floyd and adjoining counties were erected largely through his initiative. I recall one of the buildings, a combination church and Sunday school which, with the help of neighbors, was constructed from lumber from his own land—much of which he himself helped to prepare with a whipsaw. When the building was dedicated he invited all of the adjoining settlers to be present. Among these was an old hard-shell Baptist preacher. Called upon by some neighboring friend of the family for a "stave," the old dominie spoke as follows:

"I am one of them old-fashioned, hard-shell Baptists who are supposed to be opposed to Sunday schools, and I guess most of them are, but so far as I am concerned I have no pertikler objection to 'em. One thing in their favor is they will keep the boys and girls out of other dev-il-ment." (With strong accent on the last word's first and third syllables.)

I remember that my father also had a plank school-house built at the lower end of our farm, where an old style professor, long since departed, taught winter subscription classes. Every Friday afternoon he would call upon his pupils to recite something of their own selection. When the attendance was too great he would ask this only of particular scholars. Among these latter was a youth whose father, although he could not write even his own name, was the wealthiest landowner in the county. The boy was of a very timid nature, always dreading these recitations, which he made as brief as possible. His usual selection was:

The boy stood on the burning deck,
 When all but him had fled,
 The flames that hit on the battle wreck
 Showed round him and over the dead.

I might add that this "timid" youngster is now one of the most moneyed ranch owners in the west.

Another declamation that we frequently heard with amusement and interest was that of my brother Joe, now a resident of Los Angeles. Joe's "spiel" ran invariably as follows:

"Which-a-way does the wind come, which-a-way does
 he go?
 He rides over waters, he rides over snow——

(With a superlative stress on the second word, rides,
 and a rapidly falling emphasis on the balance of the
 sentence.)

Over woods, over valleys and over the "hites,"
 Where the goat cannot climb, he taketh his "flites."

(With the same stress on the word "taketh" and
 remainder of sentence as in the second line of his
 recitation.)

If Joe happens to read this book, I am sure he will remember the occurrence and as to how much more laughter than applause greeted him as he walked back to his seat!

Another reminiscence of the old Spurlock water-mill remains fresh in recollection. Our cousin, Lindsey Click, oldest son of my mother's oldest brother, told us boys that he would make us a gourd fiddle, if we would furnish him with the material. We finally got hold of a gourd of the requisite shape and size, and in due time the finished instrument was delivered to us at the old mill. But there we secreted it, not daring to bring it to the house, as father and mother were such strict Christians. Still,

whenever we had a chance we would slip down to the mill and take turns playing the fiddle, while some of us danced to the stirring music. However, one day mother had asked us to get her some kindling wood, and instead of going for it immediately we stopped at the mill for one of our little frolics. To our great alarm and consternation, mother walked in on us when the celebration was at its height!

Snatching the fiddle, she struck it over one of our heads, giving the others a whack with the handle and ordered us to go and get the kindling. I shall never forget the pangs of conscience, felt at that scene, now more than half a century removed. Indeed I think the others felt as I did, for in less than an hour there was a pile of chopped wood in the back yard rising waist high.

In Pike County, Kentucky, on the West Virginia border, is a community rather famous locally, but especially on account of "Uncle Eli Hurley," who passed on some years ago.

He was an eccentric fellow and had a peculiar twist in his speech. He owned quite a tract of coal lands. After Henry Ford invested many millions in coal development in that section, "Uncle Eli" became quite prosperous and decided to build him a new home in lieu of his old cabin in which he had resided so many years. However, he had an old barn, which he decided to continue in use. Some time after his new house, costing several thousand dollars, had been completed this old barn caught fire. The flames passed beyond control and it became evident that the barn would be a total loss. But by reason of the distance of the house from the barn, and the direction the wind was blowing, Eli felt the fire would not reach it. Suddenly the wind turned, blowing the flames directly toward the house. "Uncle

Eli" was not regarded as any too good a Christian, although he believed in a Supreme Being. Realizing that his home was in danger he dropped to his knees and offered the following fervent prayer:

"O, Yord, dis am Eyi Huhy, Nok Keek. Ise fifty-seven yeah old and nevah axed you favoh in all my yife. Pease, O, Yord, tum down heah and save Eyi's house and I will nevah axe you nothing mo so long I live."

I hope that many of the thousands who may read this book, will enjoy this true story. "Uncle Eli" was one of my most devoted friends, and I join with many others in expressing the belief that he was passed by the guard at "The Golden Gate."

A very comical incident I recall attaches to the summer of 1870, when granny Langley fell and injured one of her hips while shearing sheep. Father dashed off on horseback to Prestonsburg, two miles distant, and brought back the best surgeon in that town, a Dr. Draper.

When he arrived he examined granny immediately, said he feared there was a fracture of the bone and that he would have to cut in and see.

The doctor then walked outside the house, back of the chimney. In a wood-yard nearby I was hiding behind a stump. Glancing around, and believing himself unobserved, he pulled a pint bottle of applejack from his hip pocket and took a long, gurgling swig from it. He then returned to his patient, and after an incision at the hip discovered his preliminary diagnosis to be correct and that she would have to walk on crutches for the rest of her life, which she did.

Just after Dr. Draper left granny called me in, and made the following remark: "Oh, what a good man that doctor is. He would not even start to operate on my hip until he went out and asked God's help!"

Such profound reverence had I for granny's piety and love of the Good Book that I let her pass over the river, which she did a good many years later, without ever letting her know that Dr. Draper had gone out to brace up on applejack instead of a prayer to God!

Many books are written in the present day professing to detail stories of the humorous side of southern mountain life, but from my own observation most of these anecdotes are either fabulous or distorted versions of real happenings. Perhaps the most faithful picture of a certain phase is found in the stage impersonations of Walter C. Kelly, of New York, who has made famous the courtroom scenes before a long since deceased Virginia Justice of the Peace. Born and raised among the hill folk concerned, and vividly conversant with every trait and idiom they possess, I am naturally not only a severe critic of the garbled and ridiculous accounts given of them, but in a position to relate with absolute accuracy endless tales of their unique modes of living and their quaint sayings. It is probably in the rustic law-courts that their odd but lovable characteristics are most striking exhibited.

I recall a case before old Judge Price, at Prestonsburg, Floyd County, Ky., about 1881, the defendant being charged with murder, when there was even more than usual trouble in impanelling a jury. In the course of "challenging" of talesmen by the prosecution, along came a grizzled mountaineer, who was asked, routinely, if he was opposed to or in favor of capital punishment. He appeared puzzled, so Judge Price took a hand, and, speaking very slowly and distinctly, said: "What we want to know, Eph, is, are you in favor of hanging a man?" Shifting uneasily from one foot to the other, Eph drawled his reply: "No, I ain't much in favor of it

'athout there's some occasion fer it." The courtroom resounded with the laughter that followed.

Reminding me also of the old colored man, up on a similar charge. He had no money for a lawyer, so the Court started to find one who might be assigned to him. After a long search the Judge, with a rather irritated and disappointed air, turned to old Sam and told him, "Sam, we don't seem to be able to find a lawyer to assign to your defense, and I really don't know what we are going to do about it." With a rather pleased air the old darky replied: "Well, yer Honor, 's far as I'ze concerned ye can let this here case drop right now."

I recall that when I was very small I used to take butter and eggs to town to sell for my mother, usually getting about ten cents from her for the service. The eggs brought around twelve cents a dozen and the butter about the same per pound. An additional source of income arose from apple cider which I made myself and sold it at the polls and other places where there were crowds. Sometimes I carried watermelons that I had raised. I was always very stingy with my money, and finally succeeded, one spring, in saving the gigantic sum of \$4.00.

This amount I put in four one dollar bills. But one night after a dream that the rats had eaten one of these bills, which I kept under my pillow, I decided it would be safer to get them all in one bill. Next morning I took the money to old Uncle Morgue Lackey's store in Prestonsburg about two miles away, and asked him if he had any four dollar bills. He laughed and exclaimed, that there was no such bill. I remember he told this joke on me, up to the time of his last illness, everytime he got me in company.

Another time, when a set of books I had ordered, called

I think, "The Book of Knowledge," lay at the express office and my brothers and I were splitting rails for a new fence, I fussed so much about going after the books that they finally said if I would cut, split and lay up a hundred rails I could then go after my package. I cheerfully accepted the proposition, but it took me at least two whole days for the job. This reminds me of General Grant's statement in his Memoirs that Abe Lincoln had once told him jokingly, that while he was called the "rail splitter" he had never split a hundred rails in all his life. So on that point I excelled Lincoln.

Regarding my treasured set of books I recall that, as a barefooted plowboy on the hillsides of the Spurlock fork of Middle Creek I would leave one of the volumes at one end of the corn-row after finishing some passage in which I was interested. When I got back from the "round" I would reread the section to see if certain conclusions I had formed on the round were correct. By this method of critical analysis I got much of my early education before starting to High School at Prestonsburg.

Well I finally got my set of books at the express office at Chapman, Kentucky, more than 30 miles from home, which was the railroad end at that time. It was not until 30 years later, in 1906 that the line reached Prestonsburg. When I got my books the flood from recent rains had swollen the creeks and branches so much that I grew very fatigued and at the mouth of Johns Creek I was so worn out that I decided to stay at the house of a friend, telling him that I would pay for my lodging later, as I had no more money. It then occurred to me to wait for one of the small river steamers to complete my return trip, and the crew gave me a great welcome. I was landed at Prestonsburg early next morning and they refused to accept anything for my fare. Some six or seven years

later I was passing by the house at Johns Creek where I had stayed that night, and insisted on the man taking the fifty cents I still owed him for lodging.

When I was about thirteen years of age my father was engaged in the timber business. The logs were floated to the mouth of Middle Creek and the rafts floated from there to the Catlettsburg, Ky., market, guided by what we called a "bow" and a "stern" oar, requiring of course a man for each one. There were about a dozen rafts. I handled the bow oar of one of the rafts, receiving my orders from the steer-hand at the rear. It took us three days to get to Catlettsburg. We would tie up about sundown and stay at a nearby farm house, starting out again bright and early next morning.

The last day was a cold and drizzly one and when we reached Catlettsburg we all were bedraggled. The man in charge told us that, inasmuch as our condition was so bad and we had worked so faithfully, he was going to "set 'em up." He took us in the Alger House bar. It was the first time I had ever seen one. It was handsomely equipped, and had an immense mirror at the back. I had never seen one a tenth as large but I recognized this mirror from a much smaller one at home.

There was a young fellow with our squad, from another raft, who evidently did not know he faced this big mirror. On the way down he had developed a severe carbuncle on the back of his neck and wore a red bandana handkerchief bound around it. His head was slightly askew from the swelling. He was bright enough but lived on the head of a branch remote from a schoolhouse and was illiterate, not being able to even read or write. Very naturally he was a bit careless in the use of English. He was standing at my right at the bar as the bar-tender filled our order. I noticed him gazing intently at our re-

flection in the mirror. Presently he said, addressing his reflection, which he evidently thought was someone on the other side of the bar:

"Pardner, youse is purty nigh in it as bad a fix as I is, ain't yez?"

I told this story many a time, both in private conversation and in public speeches, to the great amusement of my hearers.

I recall that an old mountain preacher was horsebacking over a rough road one chilly summer morning towards a country church at which he was to preach, a distance of about ten miles. Almost half way a young man caught up with him. Knowing the dominie well, he said to him: "Uncle Jim it's a cold, bad mornin'. Wouldn't you like a good nip?" The preacher replied: "Wull, I wouldn't mind if I did have a little taste." They then took a good stiff drink together. Nearing the church house, the preacher suddenly asked: "Willie, supposin' you let me have another little 'whiff' of that? The one we took back yander has put scripter into my head I hadn't thought of afore in forty year."

I told this story several times and always mentioned the preacher as an old hard-shell Baptist. One day after relating the anecdote in a speech in a Democratic county, which, by the way, I carried, an old friend of mine called me aside and said: "Lookahere, Johnnie, you know I am a Democrat, but goin' to vote for you and want you to win. I guess some preachers do take a horn now and then, but they usually always tell it on the old hard-shell Baptist. But the Baptists don't like it much to hear such yarns. There are a good many of them around here and it might hurt you, and I wouldn't tell any more on the Baptists if I were you."

So whenever I told the story afterwards, I laid it on a

Campbellite preacher and being one of that faith myself, felt that no one ought to criticize me. However, along came another old Democratic friend who finally told me that the members of the Christian Church did not like being called "Campbellites"—so I quit telling the story for good!

There lived in the Kentucky hills at one time a fine old Baptist pastor, who performed the ceremony of baptism on a great many people. He had four sons, who had all neared young manhood. One morning their father left on a sick call, stating he would soon return, in time for the immersion services in the afternoon. But he came back earlier than expected, and the boys who were, as they thought, safely enjoying a poker game, were thrown into great confusion, chorusing, "O lordy, we must hide these cards somewhere!" One of them hurriedly found their father's baptismal robe, and secreted the pack of cards in one of the pockets. In the afternoon there was a big crowd at the baptismal services—and the old dominie was wearing this same ceremonial robe. He waded out in the stream with the first candidate. To everyone's consternation, when the water reached the level of his pockets the cards began floating out one by one, ace of hearts, king of hearts, queen of hearts, jack of hearts and ten of hearts—a royal straight flush! His wife cried, "Oh, sons, why did you do that, you know daddy can never stand on that." One of the boys close enough to hear her remark, shouted: "H—I, if Dad can't stand on that sort of a hand, I'd like to know what in the devil he could stand on."

Quite akin to this story is one I once told to a fellow member in Congress, who in a speech in the House a little later retold it with great effect. It concerned an old gentleman living in Leslie County, Ky., which ad-

joins the 10th Congressional District. All his life he had been an uncompromising Democrat, had always lived in that vicinity and always enjoyed very good health. Approaching his 85th birthday he one day called his children about him, saying to them: "At the best I cannot expect to live very much longer and I have never yet been baptized. I think it is time to have it done. Of course you know that I believe in Bible baptism, of going clear into the water."

His children then began to consider who would be the best man to baptize him. One suggested a local preacher, but the old man objected to him because he was a Republican. Another child then suggested the "Residin' Elder" but his father answered, "that he lived away over on the other fork, too far away to go after him" and besides he had heard that this party believed in the "sprinkling" form. Finally, a minister living on the other side of the mountain was agreed upon, and the following Sunday set as the day for the ceremony. Words spread for several miles around as to the baptism and almost two thousand persons were present. The old man was hauled down to the river in the wagon, helped out with some difficulty, then the minister took charge of him and waded with him part of the way into the river. At this stage the old man abruptly turned around and said: "My friends I am glad to see so many of you here. It shows that you have confidence in me and that I have lived a tolerably correct life. Your presence is appreciated, but I don't want you to take no part in these proceedings for it is a strictly Democratic affair!" Almost the entire audience was composed of Republicans, but as they knew and liked the old man no offense was taken.

I think I can claim to have first heard the oft-told story of the sheep-shearing Democrat. He was an old

farmer in my county, up the road from our home, and one day when riding near his place I called over to see him. He was engaged in his yearly shearing, with a neighbor standing by watching the proceedings. He was busy plying his shears, when I arrived, on a fine fat wether, its legs tied together and its head stretched on the ground. I asked him why it was that the animal never raised its head to look at him, whereupon the bystander—who turned out to be a Republican—exclaimed: "Why, the Democrats are so cussed mean that even a sheep won't look them in the face."

Still another baptismal anecdote concerns an experience of my own. When I was very small the Elder of the Church liked me so well that he told my father he would like to baptize me. So they held a Sunday church meeting at our house, with many neighbors in attendance. At the proper time my father took me by the hand and led me forward. The Elder who was a Methodist, to which faith my father then belonged, went through the usual preliminaries and then poured some water out of a cup, into his hand spattering it on the top of my head. Looking up at him with surprised innocence, I cried: "Stop pouring that old cold water on my head!" The whole congregation tittered. My father never reproved me for this, but I have often heard him say, in his conversations with the clergy at our home, that he did not believe in administering the rite to anyone not understanding the sacredness of it.

Often I teased my father by stating that this incident really drove him out of the Methodist Church, because very soon after I was "sprinkled" he became an elder in the Church of Christ, so remaining until his death. Most know that the Christian Church or the Church of Christ was founded by a man named Campbell. It seems that a

traveling salesman who belonged to this faith was visiting a certain town for the first time, and he asked the waiter if there were any Christians in the place, referring of course to his own Church. The negro servitor responded: "Why, yes boss, they'se plenty of them. 'Deed I think they are purty nigh it all of dem Christians 'ceptin' dem dare Campbellites up dere on de hillside." . . . I related this conversation many a time, and everybody always laughed except my father, for never did the Christians like to be referred to as "Campbellites."

GREAT MEN AND WOMEN
I HAVE KNOWN



Favorite photograph of Theodore Roosevelt, presented to Mrs. Langley and myself by him, March 3, 1909, the day before he retired from the Presidency. His cordial greetings were written at the foot, not shown here.

Chapter III

IT is not strange, and it was my happy experience, that during my long incumbency in the halls of Congress, and elsewhere at the Capitol, I should have had the good fortune to know both as acquaintances and intimates many of the most celebrated personages gracing the last three decades of our national history.

Perhaps the closest and dearest friendship was that with the late President Roosevelt, known affectionately to thousands by the diminutive of "Teddy," and, one of whose memorable phrases I have used for the sub-title of my book. In his tempestuously brilliant career Teddy came to be both loved and hated, as is the lot of all great figures. But from my knowledge of him I would say that even his faults—and no one was more willing to admit them than he—were lovable. He enriched our English speech with many phrases falling from men's lips today; his dynamic vigor seems without a parallel in American public life. All he did, all he said, was said and done with an almost febrile virility. Although he admonished such attitude in one of his immortal catch-phrases he seldom walked softly himself—but he always "carried the big stick" of his overwhelming personality and Niagara-like eloquence.

The first time I laid eyes on Roosevelt was in 1884 at the Republican National Convention, when Blaine and Logan were nominated. I had just attained my majority, my first vote having been cast for this ticket.

I was seated in the gallery and, being a Blaine rooter,

felt quite antagonistic to those opposing his nomination. In the next seat to me was an old gentleman from, I think, Maine with whom I got acquainted. Noticing in the New York delegation a sprightly looking young man who seemed to be very active in his opposition to Blaine, I inquired of my new acquaintance, "who is that youngster making so much noise down there against Blaine?" He replied, "Why that is Theodore Roosevelt, who is a member of the New York Legislature. Haven't you heard about his wonderful record there?" I had to confess that I was ignorant of the importance of either the measure or the man. Little did I dream at that moment of the personal contact I was later to have with Teddy or the idolatry in which I was to hold him.

In 1893 when Cleveland began his second term as President, I was a member of the Board of Pension Appeals. Knowing that when the Democratic administration began, I would be removed from my job, I sought transfer to a classified roll. Roosevelt was at the time a Civil Service Commissioner, and I made my argument before him, claiming my eligibility to this switch; he promptly approved my argument, the transfer was made and that was the real beginning of our friendship. I was not thrown into closer relations with him, however, until the Republican National Convention at Philadelphia in 1900. Roosevelt, then Governor of New York State, was chairman of his delegation, and Senator Bradley of Kentucky and I were seated together just across the aisle from the New York contingent. Roosevelt always arrived before the convention was called to order, and each time, I would cross the aisle and shake hands with him, receiving always a most cordial greeting.

Let me reminisce here as to the gavel which my father had sent me, just prior to the Convention, cut from a

cedar tree under which he had seen General Garfield stand during the Civil War, watching his troops through his field glasses. These glasses I might incidentally remark, were then in possession of an old Kentuckian near my home, and naturally possessed a peculiar historical importance. The glasses had been forgotten by Garfield on the river steamer, "The Big Sandy" upon which he returned after the battle of Middle Creek, March, 1862. On one occasion when I conversed with James Rudolph Garfield, I told him where they were. He urged me if possible, to secure them for the Garfield collection at Mentor, Ohio. I finally, was able to help carry out his wishes.

Getting back again to the subject of the gavel which I presented to the permanent chairman, Senator Lodge, I got a chance to show it to Governor Roosevelt but did not let anyone else know anything about it, not even Senator Bradley who was my desk-mate. I told Roosevelt something I was thinking of saying about the gavel, but nothing about him, of course. "That would be fine," commented Roosevelt. As soon as I had a chance I addressed and was recognized by the permanent chairman. With the gavel in my hip pocket I sprang into the center aisle and as I began my speech I reached into my pocket for the gavel. Amid a chorus of uncontrolled laughter one of the New York members cried: "Look out! That Kentuckian is going to pull a gun!" The scene may be better imagined than described.

Senator Chauncey M. Depew of New York, who sat near me, threw his head back and roared until he almost slipped from his chair. Some others close by began shouting: "Platform! platform! I was glad to escape from my embarrassment, strode immediately to the rostrum and was greeted and introduced by Chairman Lodge,

whom I already knew. Naturally I felt very nervous, but ere I had finished my first sentence I had regained perfect self-possession, and when I reached that part of my remarks where I touched upon what I had previously indicated to Roosevelt, I might say on a certain point, I was greeted with many rounds of applause, in which Teddy, seated directly in front of me, actively joined.

Following is the verbatim report of my speech from the printed minutes:

Mr. Chairman and Gentlemen of the Convention: Up among Kentucky's mountains, in the valley of the Big Sandy, there is a humble country home, wherein dwells an old man—a soldier of Republicanism who has spent his life in battling for the redemption of Kentucky from the thralldom of Democracy. He lives at the foot of the hill upon whose summit the great Garfield won a general's star. (Applause.) That home is my home; that old man is my father. (Applause.) He has asked me, Mr. Chairman, to present this gavel to you. It is an unpretentious offering from a modest man, but to me the request bears the potency of a sovereign's decree. It was carved from the tree beside which Garfield stood during the battle of Middle Creek, Kentucky, and beside which he is said to have knelt and asked the God of Battles to give the victory to the Union arms.

Some of Indiana's soldier boys were in that battle (applause), and they displayed the same heroism and the same courageous devotion to duty that are now being displayed by Indiana's great Governor (applause) in giving asylum and protection to him who is the rightful Governor of Kentucky (applause), and who is an exile from his native State today, because if there he could not have enforced the constitutional guarantees of life, liberty and due process of law. I do not mean by this to assert that love of liberty is dead in Kentucky, for it still lives in the hearts of all true Kentuckians (applause) and is being suppressed only by unworthy leaders of the people. It will be strengthened by the news of the re-nomination of McKinley. (Applause.)

I present this gavel to you, Mr. Chairman, as a token of our continued devotion to Republican principles, and as a pledge that Kentucky's electoral vote will be cast

Cedar tree under
which Garfield
stood during battle
of Middle Creek
and from which
fragment was taken
to make Philadel-
phia gavel.



Picture of author's
old home where he
was born and rear-
ed, near mouth of
Spurlock Fork of
Middle Creek.



next November for McKinley and Roosevelt. (Applause.)

THE PERMANENT CHAIRMAN.—The Chair extends the thanks of the Convention to the gentleman from Kentucky, who has presented to him this most interesting gavel.

It was then and there that I blurted out what I had not planned to say—about giving Kentucky's electoral vote to McKinley if the Convention would place New York's eminent Governor on the ticket with him. The meeting received the suggestion with tumultuous hand-claps, but Roosevelt's attitude seemed one of discomfort. It was, however, the first and only mention of his name for Vice-President, and so that declaration on that rostrum, originally made by myself, is one always remembered by me with inexpressible pride.

A delegate sitting near me later remarked, "You had your nerve with you to propose Roosevelt for Vice-President—with Lieutenant-Governor Woodruff (an active candidate for the honor) and Mrs. Woodruff sitting in the box with him, not 20 feet away."

During the session a resolution was proposed to reduce southern representation in the Republican National Convention. Senator Bradley among others of his political faith from the south had indicated vigorous opposition to the proposition. One of the floor boys came to me saying that Senators Platt and Quay wished to see me. I found these notables awaiting me. Senator Quay remarked that I "seemed to know most of the southern delegates," and that they appeared to be almost unanimous against the resolution to reduce southern representation in the Republican National Convention, Senator Bradley having just finished a very strong speech opposing this. "We will help you defeat this resolution," said Quay, "if you will help us put Roosevelt on the ticket with McKinley. The

Senator here, (referring to Senator Platt) wishes this done to get Roosevelt out of New York politics and I want it done because Hanna is opposed to it." It will be recalled that Senator Hanna had prevented Quay's seating in the Senate, to which he had been appointed by the Governor of Pennsylvania.

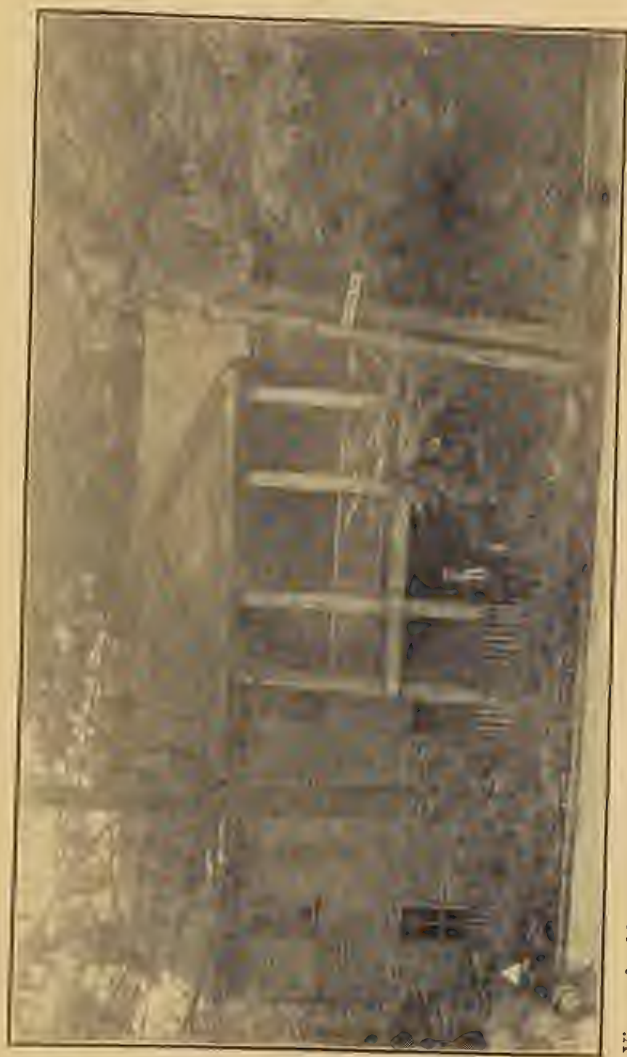
Both being close to my heart, I unqualifiedly assented to Senator Quay's double proposition, and after adjournment I was invited to visit the Kansas Delegation, which was all for Teddy. I was elected an honorary member and decorated with an artificial sunflower as big as a hat, this being the Kansas emblem. And later in the evening I was parading the streets for Roosevelt with this delegation. Our route included the hotel where he was a guest, and I assume he must have seen us from the window. At any rate a bellboy approached me, saying that Roosevelt wanted to see me.

I went immediately to his room. As I entered, he and Mrs. Roosevelt were saying good-bye to a caller. They both greeted me most cordially and then Teddy called me aside and said:

"Brother Langley, while I appreciate your partiality and good-will, I hope you will desist in this effort to boost me for Vice-President. It would be a great honor, of course, but I feel that I can be of more use to my party and my country by serving another term as Governor of New York."

In reply I told him of the overwhelming sentiment for him in the convention, but he raised his hand deprecatingly and shook his head. I naturally evaded further solicitation at that time, and immediately resumed my march with the Kansas delegation.

It is now a matter of political history that during that night there was a long distance conversation between



View of old Bowles Mansion at Pikeville where Garfield took oath of office as Major-General in March, 1862, shortly after battle of Middle Creek.

Senator Hanna and the White House when it was agreed that the convention was almost unanimously for Teddy's nomination. When I reached my seat next morning, the Governor was already surrounded by friends tendering their congratulations. I extended my hand to him. He held it silently for a moment and then pulling me towards him in his characteristic manner, exclaimed: "Well, old man, you struck it right after all." Before the roll call and the Vice-Presidential nomination were concluded, some of us decided to catch the earliest train for Washington. Before leaving, I hopped across the aisle, seized Teddy's hand and said, "Well, Governor, you will be elected beyond a doubt, and the next time we'll run you for President." Roosevelt made no response, but extracting from his pocket his convention ticket, and writing something on it, he said: "Here, give this to your father." Across the top he wrote with his pencil: "Theodore Roosevelt." That card has always been a treasured heritage of our family.

When Teddy returned from his South African tour, and they were preparing a reception at New York, I got a letter from Mr. Loeb, his secretary, saying that if anyone was entitled to be one of the greeters he certainly thought it was I. He sent me two of the best grandstand tickets for myself and Mrs. Langley.

What a scene that was! In New York harbor and along the triumphal route of the parade! The cheering thousands! My wife and I were seated on the reviewing stand ere Teddy arrived. As he climbed the steps he chanced to see me. Waving his hand, he called out in his old familiar tones: "Hello, Kaintuck!" An unfriendly Kentucky paper awkwardly tried to ridicule the incident by insinuating that I had expected to be embraced instead

of hailed by Teddy. As a matter of fact I thought it was a wonderful compliment to be discovered and greeted in that vast assemblage as the great man elbowed his way through the throngs.

I am the proud possessor of many telegrams and letters from Roosevelt, but am able to find space for only a few of them here. A page or so further on I shall refer to the most striking of all his letters, of which I have made a reproduction.

Colonel Roosevelt was to lecture at Cincinnati, in October of 1910, and I received at my home in Kentucky the following telegram from that city:

In the absence of Mr. Longworth I invite you to be a guest at our home on next Thursday afternoon at a reception to be given in honor of my father.

(Sgd.) ALICE LONGWORTH.

Of course I was delighted to accept. Upon my arrival I met a number of House members, most of them his intimates. Certain friends were giving Colonel Roosevelt a midday luncheon "across the Rhine," a very packed affair. Other members besides myself took seats at the far end of one of the large tables. Until then I had not spoken to the Colonel, assuming that he was not aware of my presence. Soon, however, a uniformed attendant came down the aisle. "Is Congressman Langley here?" Presently I was found, and the young man announced himself as Teddy's aide, and that the Colonel wished me to come and sit with him at the head of the table. Arising proudly, I facetiously remarked to some members nearest me: "Now, you poor white trash, sit here and eat your grub, I am going to sit with the heroes at the head of the table!" When I reached Roosevelt I was warmly greeted, and he seated me at his right hand.

In the ensuing conversation he remarked: "Of course

SAGAMORE HILL. Sept 20th 1910

To the Hon. John W. Langley

My dear Mr. Langley,

I sincerely regret
that I can not do as
you ask and speak for
you in your district this
fall. Unfortunately it is
physically impossible.

I would gladly do
anything in my power
to help you win, because
you were my staunch
friend, and loyally

Facsimile of letter from President Roosevelt explained in the text.

supported my administration throughout your term of service in Congress, while I was President.

You have been a faithful and useful Representative; you are a square man, and you stand openly, and without dodging, for the great and vital policies that are essential to the well being of all our people.

With hearty good wishes,
I am

your friend
Theodore Roosevelt

you are coming up to Nick's this afternoon?" and I told him I was. When I did reach the Longworth home in the afternoon I promptly glimpsed the Colonel, the center of a group on the lawn, soon hearing his old-time salute, "Hello, Kaintuck!" Presently he took me by the arm saying, "Walk over this way with me." He then explained he had some important letters to write, had to get back to New York that afternoon and that I was helping him to make a tactful exit from the party.

At the kitchen door of Nick's beautiful residence he suddenly paused and remarked: "You don't know how sorry I am that I could not come down to your district and make that speech for you. Next time you run, let me know earlier and I shall come. Meanwhile, isn't there some other way I can help in the campaign? Would a letter from me do you any good?" I assured him that such a letter would be a very great service—and he sent it to me next day from New York City. I reproduce this letter, facsimile, on an adjoining inset. The very same year, and again a year later, I used a photo-engraving of this letter on a campaign sheet with great effect.

Not long after he had succeeded the lamented McKinley, he had an informal reception at the White House for his more intimate friends and supporters. When I entered I stood between Teddy and the window, and as he looked up he evidently could not see me distinctly. Shading his eyes with his hand, he exclaimed: "It seems to me that I have seen that face before." Someone interrupted: "Why, Mr. President, don't you remember the little gavel at Philadelphia?" "Oh, perfectly, perfectly," he replied, and warmly gripped my hand.

I saw him repeatedly while he occupied the presidential chair. Numberless were the instances of his unflinching loyalties to friends, particularly his beloved Rough

Riders. One instance vividly occurs to me. Sitting late at my desk, I received a call from his Secretary, Mr. Loeb, who said he was sitting beside the President who asked him to say to me that a visitor was coming in to meet me the next day. He said that his friend was a man of limited education but a Rough Rider and he wanted him appointed to a place in the Census office to which I readily assented. When he came the next day I had the director approve the selection. I made him one of the assistant appointment clerks. He remained an employee of the Census office until his death.

When I was first elected to Congress in 1906, perhaps the most cordial congratulatory message I received was from Teddy. Often I went to the White House to see him on official business and every time he caught sight of me, no matter how busy or who was present, he would invariably stop to address me with his favorite salutation, "Hello, Kaintuck." On one occasion when he was ready to receive a delegation I accompanied, he came smilingly to the door exclaiming, "Now you Kentuckians, please leave your side arms outside before you come in." This remark was overheard and given rather wide publicity by the newspapermen.

In my early incumbency in Congress and while Roosevelt was still president, I had introduced and the House had unanimously passed a bill providing for a term of Federal Court to be held at Jackson in Breathitt County, my own state. However, the bill met bitter opposition in the Senate, instigated as I was given to understand, by the Federal judge of the district for the alleged reason that this apparently fatigued dignitary disliked holding Court in such remote and wild territory as he regarded this. Although I used every argument and courtesy I could with individual Senators, the bill still stuck in



Eagle's quill pen with which President Roosevelt signed the bill for a Federal Court at Jackson, Ky., which he presented to the people of that city through the author. (See text)

committee. Finally I told President Roosevelt of my solicitude concerning the measure, going with Mrs. Langley to see him. He very generously assured us of his goodwill and help, and this certainly had results, for the bill promptly passed the Senate after a sharp contest, following the bitter protests of Judge Cochran.

It was understood that I was to receive the pen with which Teddy signed the bill, and to have the honor of witnessing his autograph, and his Secretary made the appointment. Having in my possession a quill from the wing of a massive bald eagle which the late Senator Carter of Montana had presented to the Director of the Census, this quill I had made into a pen for the President's use on the occasion, ornamented with a striking tri-colored ribbon. This beribboned pen, in the presence of most of the members of the Cabinet which had assembled for a meeting, I placed in his hands after making proper explanations. Teddy hastily jabbed it into the bottle of ink and started to write, but the pen did not work at first. When I started to apologize he replied, "Oh, never mind, I can write with a stick." The postmaster general, standing by, humorously added, "The trouble is, Mr. President, that no one can read it when you write." Sometimes I have wondered what this remark really meant. At any rate the President finally scribbled out the words, "Approved, Theodore Roosevelt,"—and the bill was a law.

Not long afterwards, I presented this pen, a photograph of which is reproduced herein, to the citizens of Breathitt County, at a record breaking meeting in the Court House yard, and later had the satisfaction of securing erection of a fine government building on the site where the Court now regularly convenes. Not so long ago, I saw this historic pen beautifully framed, hanging in the residence of

my beloved life-long friend, Hon. M. S. Crain, then a resident of Breathitt County, but now a prosperous merchant of Lexington, Kentucky, who sent me this photograph of it. Need I say that the jurist who presided over my crucifixion at Covington never has forgiven me, and never will, for forcing him to hold Court in Breathitt County, over his bitter opposition.

I might also note that for more than 27 years I have been the proud possessor of a costly solid gold watch and chain, presented me by the citizens of Catlettsburg, Kentucky, in expression of their gratitude for my work in securing them a term of the Federal Court there—, a part only of the broader effort to bring the Federal Court machinery closer to the mountain people, which effort also met with the stubborn opposition of Judge Cochran.

When discussion began as to the Republican nominee in 1908 as Roosevelt's successor, and while Teddy's attitude was still unknown, I received a message from Secretary Loeb, while I was visiting in Asheville, North Carolina, stating that the President wished to see me. I took the next train to Washington and was immediately admitted to the President's private office. After a few moments of desultory conversation, Teddy abruptly asked: "Who is your choice for the nomination as my successor?" My reply was, "Mr. President, I did not obey your instructions at Philadelphia. Now I wish to reverse matters and support whoever you want." "Well," he replied, "I think Mr. Taft (using the broad A) is the best man to carry out my policies." "All right," I said, "I am for Mr. Taft"—and immediately I had left the White House I gave out a lengthy interview in support of Taft, and did what little I could in support of his nomination. Alas! for once Roosevelt's intuitive judgment apparently was at fault.



Watch presented to me in 1902 by citizens of Catlettsburg, Ky., in appreciation of getting Federal Court established there.

Before me, as I write these lines, is one of Teddy's favorite photographs, presented to Mrs. Langley and myself at the White House on March 3d, 1909, the day before his term expired. Penning a beautiful inscription on it, he remarked: "Now, Kaintuck, you can blot this as I have callers waiting to see me. Good-bye!"

As will be remembered, Inauguration Day, March 4, 1909, was a miserable sample of weather, and it was necessary to hold the ceremonies in the Senate chamber. I sat directly facing President Roosevelt—not more than fifteen feet away—during the entire exercises. Never shall I forget his attitude and face on that occasion; I was puzzled greatly. From beginning to end he sat, with head bowed, never once lifting his eyes from the floor. It was a sight of mixed mystery and pathos. At the conclusion of President-elect Taft's address, Teddy hastily arose, shook hands perfunctorily with his successor, and left instantly by a side door of the chamber to catch a train at the Union Station on the first lap of his South African trip. There has been enormous speculation, press and private, as to what this somewhat historic contretemps really denoted, but I greatly doubt whether anyone has ever hit upon the true solution. I know that I am at a loss to furnish it.

Senator Bradley of Kentucky was for many years anti-Roosevelt, bitterly fighting his nomination for the presidency in 1912, but for reasons superfluous to dissect here. In a later campaign the Senator and the Colonel addressed some political gathering at a western point one evening, sitting together on the stage. During a chat, so the Senator told me, the Colonel inquired, "How is my old friend, John Langley, getting along down there in Kentucky?" Upon the Senator answering "Fine!" the Colonel replied: "You know I like that fellow. Some

times I think he trusts too many people, but he is all right." (*Trusts too many people*—what prophetic words!)

Senator Bradley, my devoted friend from boyhood, was much pleased with this remark, and in relating it to me he added: That he had changed his mind about Teddy, and was going to support him for President next term. Asking me to deliver such message when I again saw the Colonel, knowing him better than he did. But before the opportunity came, Senator Bradley had passed away. However, shortly following his death, while in New York and taking along with me Gifford Pinchot, ex-Governor of Pennsylvania, whom I had encountered on the way, we visited the Colonel's office on Fourth avenue together. He was then editing the "Outlook," and appeared, despite all reports to the contrary, to be in excellent health. However he told us that the tropical fever contracted while in South America had left his system saturated with poison, and that he did not feel as well as he might wish. I delivered Senator Bradley's posthumous message to him. Instantly his face lighted with that old, well-known smile—as to which at least one observer has often wondered whether it was partly cynical or wholly good-natured. He paused for a moment and then, as if apologizing for his hesitancy, remarked: "I was just wondering if the old Senator would have stuck to it had he lived!"

In the presidential campaign in 1916, the Kentucky Republican Campaign Committee arranged with Teddy to spend a day in the State, and I was designated as representative to meet him at Cincinnati. After spending the day speaking in Kentucky, a rally was held at Louisville that night. I proceeded immediately to locate the Colonel upon boarding the train, and was about to enter

his private car when one of his aides questioned me. However, the Colonel had espied me and called out for me to enter at once. We enjoyed a most interesting half-hour chat.

During dinner that afternoon in his private car, Teddy indulged in much reminiscence, part of which concerned a rather startling diplomatic incident, which dated with his stay in the White House, touching a certain famous Ambassador—a story that had never broken in the press. I asked if he had ‘any objection to my retelling the story. But, seemingly out of harmony with his usual fearlessness, he chose rather to answer my query by innuendo.

So, in his own inimitable fashion, he illustrated his caution by another story of a well-known Indiana Congressman, mentioning the name, who was once conversing confidently with a prominent constituent. At the conclusion of the talk the Congressman warned: “Now you must be sure never to breathe what I have said to you.” Whereupon the other replied: “I am talking to you as a gentleman, not as a Congressman.” The inference was diverting, and we all laughed heartily—most of it at my expense!

In the afternoon we started for the Louisville meeting. The train was late and I recall that when it halted at a certain Blue Grass town, and the Colonel, on the rear platform, had got only as far as the words, “My fellow countrymen,” it suddenly started off again, thousands running after it, but halted again with a jolt about a block distant, when he resumed and spoke effectively for ten or fifteen minutes. Then, turning to me, he said: “Well, Kaintuck, I must save this voice for tonight—you go ahead and finish the speaking.” It was a difficult matter, on such abrupt notice, for me to express myself as I

wished, and to this day I recall that speech with great dissatisfaction.

At Louisville, in the evening, the Colonel addressed an overflowing audience. After finishing his speech he came outside where some of us were haranguing an "overflow," climbed up on the stand, and at the top of his voice cried: "Hello, boys. Good-bye!" This was the last sound of his voice in Kentucky, and the last time he ever visited the state.

Once I recall, when Teddy was coming over to Washington, that Nicholas Longworth invited me to his house to meet him, at which meeting Teddy and I had a quite lengthy conversation. I informed him that we were set to give him the presidential nomination in 1920. His reply was, "Well, we'll settle that when the time comes." Then I reminded him of his promise to visit the Kentucky mountains, adding that we were planning a day for him in the Kentucky River valley, also one in the Big Sandy section; that there was a stretch of seven miles between the two railroads and, if necessary, the boys would carry him across the intervening hills. With a chuckle he retorted: "By George, I'll walk!"

That was the last time I was ever to see Colonel Roosevelt. Ere the 1920 campaign opened he had passed through the last valley and over the last mountain. His son, Teddy, Jr., touchingly enough, made a Kentucky hills trip with us in that campaign, partly in redemption of his dead father's promise. At Pikeville, where he halted, a beautiful reference was made to this promise by Mrs. Langley when she introduced him.

One of the Democratic senators with whom I formed a genuine attachment was Vest of Missouri. In later service in Congress I became friendly with many Missourians of both parties. But I doubt if I ever learned so

The Outlook

287 Fourth Avenue
New York

Office of
Theodore Roosevelt

August 4, 1910.

My dear Congressman:

I wish I could do as you desire. I believe in you and it would give me much pleasure to do any thing to help you, but, my dear Congressman, you have asked me to do what is simply impossible. You have no conception of the number of such requests I have received. I have had to decline even Governor Wilson's invitation and it is physically impossible for me to make any engagements such as you request.

With very real regret,

Faithfully yours,



Hon. John W. Langley,
Member of Congress,
Cattleburg, Ky.

Letter from President Roosevelt expressing regret at inability to campaign for author.

much of the early political history of that great state from any other source as I did from him.

Senator Vest was then an old man and getting rather feeble. My office was on the second floor of the Census Building, and after driving up to the entrance in a closed vehicle, drawn up by a double team, he would send up for me to come down to his carriage. Many a time after concluding business matters he would sit for an hour or more discussing extraneous subjects. He told me all about his experience before becoming a member of the Confederate Congress, and about his impressions of General Freemont and the Missouri state militia. In the days prior to the opening of hostilities, at that time he was a member of the Missouri Legislature, and he said that Freemont would often enter with his troops, compel them to adjourn and run them out of the chamber. He confirmed the truth of a story I had heard that on one of these occasions, when the legislators had reassembled at another place, some member read from a paper, that two New England "Yankees" had been killed, their bodies packed in ice and shipped home to their families. It was credibly reported that the Senator had interrupted the reading with a declaration that before they got through with the "Yankees," it would take the ice on Greenland's icy mountain to pack their bodies in. The Senator laughingly told me that he had been quoted correctly.

Often I had read his eulogy on the dog, and he seemed greatly pleased by my admiration, and once gave me in some detail the circumstances under which he delivered it. Next day he sent me an autographed copy of which I am still the proud owner, and I am going to quote it here because I think it embodies as much truth and pathos as any sample of English I have ever read, and I know

many of my readers will be delighted to put it in their scrap books.

The address was originally made years ago in an old town in north Missouri.

A man had brought suit for \$200 against his neighbor for killing his dog. Senator Vest was retained to represent the plaintiff, and these were his exact words:

Gentlemen of the Jury: The best human friend a man has in the world may turn against him and become his enemy. His son or daughter that he has reared with loving care, may prove ungrateful. Those who are nearest and dearest to us, those whom we trust with our happiness and good name may become traitors to their faith. The money that a man has he may lose. It flies away from him, perhaps, when he needs it most. A man's reputation may be sacrificed in a moment of ill-considered action. The people who are prone to fall on their knees to do us honor when success is with us may be the first to throw the stone of malice when failure settles its cloud upon our heads. The one absolutely unselfish friend that a man has in this selfish world, the one that never deceives him, the one that never proves ungrateful and treacherous, is his dog.

A man's dog stands by him in prosperity and in poverty, in health and in sickness. He will sleep on the cold ground where the wintry winds blow and the snow drifts fiercely, if only he may be near his master's side. He will kiss the hand that has no food to offer. He will lick the wounds and sores of his pauper master as if he were a prince. When all other friends desert he remains. When riches take wings and reputation falls to pieces he is as constant in his love as the sun in its journeys through the heavens. If fortune drives his master forth an outcast in the world, friendless and homeless, the faithful dog asks no higher privilege than that of accompanying, to guard against danger, to fight against his enemies, and when the last scene of all comes and when death takes the master in its embrace, and his body is laid away in the cold ground, no matter if all other friends pursue their way, there by the graveside may the noble dog be found, his head between his paws, his eyes sad but open in alert watchfulness, faithful and true even in death.

As a result of this eloquent appeal, the jury promptly returned a verdict for the plaintiff.

During my campaigns in my home mountains, I have been reminded hundreds of times in a peculiar way of this tribute when I have come in contact as I so frequently did with the loyalty and faith of friends of similar or even opposite political belief. In this connection, let me briefly recount an incident which occurred upon my parole. I had met several times, in the Warden's office a distinguished southern journalist, and while opposite politically had been exceedingly kind to me. After the newspapermen from all sections of the country had finished photographing me as I walked down the prison steps, this man approached to say that he had brought his motor car to drive me about the city until my train was due. I gladly accepted his invitation and we had a delightful spin through Atlanta's romantic suburbs, viewing the Peach Tree Creek battlegrounds where, 62 years before, a desperate struggle had ensued between Union and Confederate forces. I told him I had had in my home mountains for many years, several intimate friends who had participated in that battle, two still living who had been on opposite forces, and I would tell them of my visit. My comments very evidently called forth this query concerning the hill people. "You seem to think that the mountain folks are better than us city folks. Would you mind telling me privately upon what you base that opinion?" My reply in substance was:

"I presume you have read Senator Vest's beautiful oration on the dog. I knew the Senator well and was devoted to him, but I never quite agreed with his statement that there are some instances in which all friends except a dog would desert a man. Of course there are good people and bad in all sections of the country, but my observation

has been that there are more people in the mountains to the square acre who never go back on a friend, and who will fight to the death if necessary, for what they believe to be right, than all of you city folk put together!"

His laconic reply was: "That is very interesting, if true!"

SENATOR TILLMAN

Another good friend I had was the celebrated Senator Tillman of South Carolina who, I happen to recall, seldom failed to get everything that he could in the way of appointments for his supporters. One of these fortunate friends in whom he was particularly interested, originally received a post through the Senator's efforts at \$900 per annum, later was made First Assistant Postmaster General, then Commissioner of Internal Revenue, since that time figuring conspicuously in national politics. The Senator's knowledge of early South Carolinian political history was indeed unique; he had forgotten more than some of this state's present leaders will ever know! Many an hour did the old gentleman spend sitting beside, sometimes on—my desk, his favorite topic always the south generally and his own state in particular. There was a very amusing incident connected with one of his frequent calls.

On this day the Senator came into my office complaining that his shoes needed mending and, inquiring if I knew of a shoe-shop nearby, I told him there was one right across the street, and that I would gladly send my private messenger, John Beach, over with the shoes. Once the boy had left he perched himself on my desk, in his stocking feet, dangling them vigorously. It was fully an hour before the messenger returned, and it was comical to note the repeated visits made to my room by girl

stenographers from adjoining offices, pretending to have some question to ask me, who would take one look at the Senator's fluttering feet and then hastily retreat. Very likely word had passed from one to the other about it, for I do not think I ever before had had so many stenographic visits!

On another occasion I got the old Senator quite mystified. In a corner by the wall I had long kept a hefty, locked tin box of rather mysterious appearance, and one day my visitor, peering slyly at it, inquired: "What do you keep in that box, John?" I answered, "Senator, that is my dynamite box. There's enough dynamite in there to blow up both the House and the Senate." There was another sly twinkle in his eye when I intimated that I was sure he could guess the contents of the enigmatic receptacle!

"BUFFALO BILL"

It occurs to me that many of my young readers would be glad to hear something from my personal remembrances of William F. Cody, known to all the world as "Buffalo Bill." Probably there is no more legendarily picturesque character in American history than that sombreroed, dashing, horsebacking, militant figure, a personality that has fired and inspired the imagination of so many modern readers and writers.

When I was employed on the Board of Pension Appeals in the Secretary's office, one of my most intimate friends was a fellow member, John W. Bixler, of Nebraska, Colonel Cody's own state. He had often told me of his close acquaintance with Buffalo Bill, whom he always termed "The scout of all scouts." Mr. Cody was then preparing to make his world-renowned European tour, and was in Washington to secure the Interior Secretary's

consent to take some Government reservation Indians with him. In this request he found no difficulty.

While he was still in Washington on this mission, Judge Bixler introduced me to him, and one evening, at Cody's invitation, we accompanied him to a shooting gallery on Pennsylvania avenue. I had told Buffalo Bill of my great interest in his famous shots, about which I had read so much, and he said he would readily show these to me, as well as some more of which I never had heard. This he did, with results amazing to me.

Also on this interesting evening he related a number of his experiences, particularly from his earlier years. Among these was the "ducking" he and his companions got when they were returning, busted, from their tour to the gold fields of Colorado in 1846. They attempted to float down the Platte river on a rudely constructed raft, which eventually struck a snag and went to pieces, when they all narrowly escaped drowning. Other anecdotes concerned his personal encounter with a wounded bear, in which he came out victorious. Grandpap Click often had dilated on his own early exploits, which I sometimes heard with a large grain of salt, but when I listened to Buffalo Bill's stories of the early days I had no longer doubt of Grandpap Click's veracity. In fact I had great amusement in recounting to Cody several of my grandfather's bear stories, in which he took a lively interest. I do not know whether Cody made any personal use of intoxicants, but indelibly stamped on my memory is his saying of that evening: "A young man should always avoid liquor if he wants to climb to the top of the ladder."

GEN. SPEED S. FRYE

One of my noted acquaintances, during my service in the Kentucky legislature, 1887-88, was General Speed S. Frye who was my desk-mate. The old warrior was almost totally deaf, carrying with him always, an ear horn. Whenever he was speaking, and his time had expired, the Speaker would of course pound his gavel. General Frye would keep on talking, and the Speaker of course rap vigorously again. Finally the General would point his horn at me and ask "John, what's that fellow saying?" This happened so many times that many thought he was not as deaf as he pretended to be.

Being desk-mates we became great friends, and I once asked him to tell me the true story of the celebrated pistol duel between himself and General Zollicoffer during the Civil War when the latter was instantly killed, Zollicoffer being a Confederate.

General Frye emphasized that there had been many conflicting stories about this duel, some even contending that it was not Zollicoffer who had been killed. Frye stated that they were both riding horseback when they met somewhere in the Kentucky River Mountains. Zollicoffer, from Frye's impression apparently did not recognize him, but Frye knew him at once. Zollicoffer opened fire at once on Frye, when his horse reared, turning clear around, Frye said, that he then could easily have shot and killed Zollicoffer, but would not take the advantage. Finally the other got his horse around and again fired at Frye, but missed him. Frye returned the shot, fatally wounding Zollicoffer in the left breast. Some other details which the old General gave me I do not deem it necessary to recount here.

SUSAN B. ANTHONY

A very interesting reminiscence touches my first meeting with the famous Susan B. Anthony, the historic champion of woman suffrage. This was in the spring of 1883 when I was a clerk in the Pension Office. One night I was in the room of Congressman John D. White of Kentucky, addressing garden seeds to the home folks. The attendant brought in a card, whereupon White turned to me and said: "Now, John I am going to introduce you to the smartest woman in the United States." Presently a lady entered and after greeting her he said: "Miss Anthony, this is young Mr. Langley of my district." Raising her glasses a little she remarked, "Oh, this is one of your little mountain scrubs, is it!" I felt deeply insulted and without a word returned to my addressing work.

Several years later when I was in the Legislature, she had heard probably as the result of a certain bill of mine which later became a law, that I believed in woman suffrage. I was, in any case somewhat surprised one morning as I sat at breakfast, to receive a call from her, Mrs. Elizabeth Cady Stanton and Mrs. Lew Wallace, mother of the author of "Ben Hur" accompanying her. They wanted me to get the House to pass a resolution, authorizing them to use the legislative chamber that night for a women's rights meeting. During the conversation, I reminded her of the garden seed incident some years before and that it took me quite a while to get in a good humor with her. We had a very merry chat about the happening. I was in such a hurry to carry out the resolution matter that I forgot all about my breakfast. Always I shall remember with pride that the first

woman member of Congress gave me all of the time she had left—at least 15 minutes—when we were discussing the women's rights bill, although numbers were clamoring for a part of the time. This was Miss Jeanette Rankin of Montana. Incidentally I might state that with Miss Anthony I had considerable correspondence, and I have still in my possession a number of her autographed letters.

EVANGELIST SAM SMALL

Another anecdote concerned the noted evangelist Sam Small who was on the staff of the Atlanta "Constitution" in the later years of his life. Small lectured at Frankford, Ky., in March, 1890, addressing only the male members of the two State legislative bodies, I being minority leader. At one place in his speech he said that he used to be a Democrat, but that that party became so corrupt he had to leave it. I led the tumultuous applause of the Republicans at this announcement. Small instantly turned and looking squarely at me, added: "Thank God I have never been mean enough to be a Republican!" The laugh was on me and you may be sure there was plenty of it.

COL. HENRY WATTERSON

A great friend of mine in the old days was the world-known Col. Henry W. Watterson of the Louisville "Courier-Journal." I met him during my first term in the state legislature. This was before I had even tried to learn poker, of which fact I informed him, when he courteously asked me into a game. He then said, "Sit down here with us and I'll teach you how." And our companions commented that I was fortunate in running across such an apt teacher. Another time when I was on

a funeral train with the Colonel from Washington to Kentucky, John G. Carlisle was also a passenger, and at one stage of the trip asked me in a whisper if I could find him a drink. This I was able to do, but shortly afterwards Colonel Watterson called me aside, said he had heard of my act, and expostulated: "For God's sake Langley don't do that any more, as we are trying to keep drink away from him, so we can elect him Senator." In any case, Carlisle was elected. Through an oversight I voted for Carlisle and at the conclusion of the roll call I arose and requested that my vote be changed to the Republican nominee. Some of the members who did not understand the circumstances, kidded me, alleging that I voted for Carlisle only because I liked him.

SENATOR BLAINE

With James G. Blaine the famous Senator from Maine I had a pleasant friendship, my father having impressed upon me that he was the greatest living American of his day. Because of my admiration for him I paid my own expenses to the Republican National Convention at Chicago, in 1884. Shortly after Blaine and Logan were defeated, (as a result most people thought of the "Rum, Romanism and Rebellion" speech of Dr. Burchard) I noted in a Washington paper that Blaine and Logan had met on the street and that Logan accosted Blaine with "Hello, Burchard!" I already had Logan's autograph but this news item prompted me to call at Blaine's residence in the hope of getting his. Somewhat the same incident occurred as when I had called upon Ingersoll, because after the butler had notified me that Mr. Blaine was out and I expressed my flattering regret I heard a very gruff voice, which was Blaine's shouting, "Come in

here my boy." I found him much more approachable than I had imagined. Afterwards I was in Washington with Col. Bradley (afterwards Senator and Governor) and he asked me to go with him to Blaine, then Secretary of State under President Harrison. Bradley had been tendered through Blaine a place in the foreign ministerial service. When we called on Blaine, Bradley exclaimed, that he was then Chief Counsel for defendants in the Star Route cases and could not accept an appointment, but he added, referring to myself that, "here is one of the best friends and admirers you have in the world, and whatever obligation you feel towards me, you can bestow upon him." I at once said that I would like to be a consul in Scotland. Blaine rejoined, "go across the hall and talk to my son Walker, who has charge of that branch of the service." Walker said that there would shortly be a vacancy in Scotland and to come back in a month to see him and he would give me the place. Unfortunately, in the interval Walker Blaine died, and as my folks down home insisted that I run again, I did so and was reelected. These two legislative races of mine signalized the first occasion on which a Republican had ever carried that district.

BOB TAYLOR

I now come to one of the most picturesque personalities in American political history, Bob Taylor, three times Governor of Tennessee, U. S. Senator, and internationally known lecturer. He was related to Mrs. Langley, and a long-time intimate of my own. Bob had been promising for a good while to visit us at Pikeville; finally I got a wire from him stating he would arrive at Ashland, Ky., and to meet him there. As we were going home, the natives of Big Sandy Valley through which we passed,

immediately recognized him and wherever the train stopped, crowds would gather. I always introduced Bob and he would talk until the train moved out. The first night he spent with us at Pikeville, we had quite a number of callers, some Republican and some Democrats. This was in the old wet days and in my home still is the old mahogany cabinet, containing three cut glass quart bottles, on each a silver tag bearing the different legends, whiskey, apple brandy and gin. The cabinet had an automatic lock to which there was only one key which I carried. On this evening just before we opened this then sacred receptacle, I remarked, "Now boys, I have plenty of whiskey and gin, but apple brandy is a little bit scarce which makes me sorry, because I know that Uncle Bob likes it." I added that I wish they would confine their attacks to the other two beverages. We had a delightful evening, Uncle Bob paying his full respects to his quart. Before bedtime arrived he had told a hundred of his excruciating anecdotes, reciting also from his lectures on the "Fiddle and the Bow" and some others. I finally persuaded Uncle Bob to go to his room which had separate bathing quarters. Next morning as I passed near his door, I heard him holler, "Aye John, come in here a minute." When I entered, he was standing, gazing into the tub, which was nearly full of water, with an amazed expression on his face, he exclaimed, "John, do you see anything in that tub?" I looked and saw therein a river bass about 16 inches long which I had caught that morning and put into the tubful of water to keep it fresh! I had forgotten all about doing this. With a wry expression on his face Bob added: "Huh I thought I was seeing things!"

Afterwards at breakfast he ate the fish with great gusto.

All the Pikeville people were eager to meet and talk

THE WHITE HOUSE
WASHINGTON

August 6th 1909.

Mr. dear Mr. Langley:

I take pleasure in sending
you herewith the pen with which
the President wrote "Approved"
on the Tariff Bill of August 5, 1909.

Mr. W. L. Taft
Secretary to the President.

Hon. John W. Langley,
House of Representatives.

Letter from secretary of President Taft.

with this great man. Some were trying to make political capital out of the fact of having Taylor my kinsman to visit me, and refused to call for that reason alone. Finally a big reception and banquet was tendered him afterwards when he was asked to deliver his famous "Fiddle and the Bow" lecture, he complied and I gave him a brief introduction. In my introduction I think that all I said was that he was the celebrated famous fiddlin' Bob Taylor of Tennessee. This is how he began his address:

Ladies and gentlemen and fellow Democrats: I have known Cousin John (I call him cousin because he married my cousin) for 65 or 70 years,* and I have always liked him. The only objection I have ever found to him is that he is a Campbellite and a Republican, and I am a shouting Methodist and a Democrat.

He then went on and finished his lecture. Bob's trip up the Big Sandy undoubtedly helped me quite a lot, but I would have been elected anyhow apparently, as my majority was 1,999 in a district still heavily Democratic.

PRESIDENT TAFT

I had my first contact with the present Chief Justice Taft while he was Secretary of War about 1906 which was the year of my debut in Congress. He was then about 50 years of age. His great weight and bulk very noticeable, even at that early time and was said to tip the scales at 280 pounds. Naturally his tonnage was the subject of considerable good natured raillery and comment, especially as to his excessive eating. Curiously enough, despite his courteous manners the War Secretary did not radiate with effulgent geniality supposed to belong to

* There was great laughter here for I was then in my early forties.

avoidupois as logically as one-half of a seidlitz powder belongs to the other. In fact his manner might always have been described as austere.

I recall that in the year 1909, when Taft followed Roosevelt in the White House that Teddy had supported him with the understanding that Taft would honor with cabinet appointments the late President's particular favorites. There is no doubt in the world that this tacit agreement existed and the extreme coldness, not to say hostility, which followed can justly be charged to this cause. Taft did not, so far as I recall, accept a single appointee from Roosevelt for his Cabinet, among the proposals having been Roosevelt's long time Secretary and intimate companion, William Loeb, who was ignored along with the others.

I recall President Taft stating to me on one occasion that under no circumstances did he want Senator Bradley of Kentucky as a delegate at large from that state because as he put it, "He has said so many damn mean things about me." Taft was well aware of my own vigorous efforts in his behalf in my state, and when this subject came up one day, he said facetiously: "I have often hearn you spoken of as sich." When he left the presidency in 1913, as most people know, he went on a very successful lecturing tour. The next I heard of him, about 1923, I think, was that President Coolidge had appointed him Chief Justice of the United States Supreme Court. For a while he had served as chairman of the Lincoln Memorial Commission.

One day while Taft was still President, his secretary phoned that he wanted to see me at the White House right away. Upon arrival I was admitted immediately to his private office. "What is the matter with old man Bradley?" he began, referring of course to the Senator

from Kentucky. "I replied, that I thought him a mighty fine fellow, but he had a habit of losing his temper once in a while—which remark was prompted by the fact that the President, who held in his hand a letter which I recognized as that of Bradley's appeared quite irritated. Upon the President asking if I knew what it was the Senator wanted, I told him I thought it was to get Mr. Thatcher, now Representative from the Louisville district, appointed as U. S. Attorney for the Western District of Kentucky, Taft answered: "Go back and tell the Senator that he can have this appointment right now."

Thereupon I went to Senator Bradley's office, where I found Thatcher with him and told them what the President had, Senator Bradley exclaimed: "No, Thatcher, I wouldn't let you have a little place like that." Then he said, "John, you go back and tell the President that if he will appoint Thatcher Governor of the Canal Zone, that would be satisfactory." Thatcher and I returned at once to the White House where he waited outside while I again interviewed the President, relating what Bradley had said. When his secretary had ascertained the status of this appointment, reporting that it could then be made, the President bowed to me smilingly, with these words: "I guess that will fix everything all right." Thatcher and I returned to Senator Bradley's office and made our report. When he began anew: "I have noticed in the papers recently that Taft is considering an executive order cutting salaries of all such offices, including the governorship of the Zone from \$12,500 to \$7,500." "John, you go back to the President, find out if that is so, and if it is, I will not let Thatcher take the place." With a little irritation I said: "Why Senator I've seen the President three times already today, and I hate to go again. Why don't you call up the White House and find out about this?" With-

out further comment he got the President's secretary on the phone who, after asking him to hold the line until he inquired from the President, returned to inform Senator Bradley that the Executive wished to assure him that so long as he was in office, the salary of the Canal Zone Governor would remain exactly as it then was. . . . That settled the matter, and Thatcher was appointed.

PRESIDENT MCKINLEY

Coming to the late President McKinley, I recall my first contacts with him when he was a Congressman from Ohio, often stopping pleasantly for a chat. Later, on a trip to the National Convention in Minneapolis in 1892, when I was accompanied by Mrs. Langley's cousin, Alf Taylor, we returned together on the same car with McKinley, and were much with him. It was on this return trip that I headed the delegation which visited him with a notification that we were unanimous for his nomination for President in 1896. As I recall, his answer was, that he "would have to let time take care of that matter." However he was both nominated and elected.

At that time my old friend, Charlie Dawes, now Ambassador to England, was Comptroller of the Currency. Mrs. Dawes and Mrs. McKinley were great pals, often doing their shopping and marketing together.

On one occasion, Charlie having brought up the subject of my appointment as U. S. Attorney for the Eastern District of Kentucky, mentioning that both the Senate and House members were unanimously for it, he offered to accompany me to McKinley's office to see him about the proposal. Next morning we went together. I recall the President, with his grave and thoughtful face, sitting bent at his desk over some papers as we entered. He

looked up with a smile, exclaiming, "Well, Charlie, what's on your heart this morning?" Dawes explained the object of our call, whereupon the President turned to me, and spoke as follows: "Mr. Langley, it seems to me that about everyone in the United States is for you, but one of your Kentuckians, Senator Devoe, has already recommended another man. However, I want to please you if I can, and will give the matter my most careful consideration, and hope that I can favor you." Alas! that was to be the last occasion on which I would ever see him alive again. About two weeks from that date, he fell by an assassin's bullet in the Temple of Music at the World's fair grounds in Buffalo about 3:30 o'clock in the afternoon.

The mention of my friendship with President Cleveland immediately recalls to my mind a rather humorous incident connected with it. One day during his second term I went with a certain southern Senator to the White House who carried along a prominent supporter from his district with the object of introducing him to the President. We three approached the executive's desk when my friend started to make the introductions. We both had a difficult job restraining our merriment when the Senator's constituent, shaking hands with the President, cupped his ear with his other hand exclaiming, "What name do you say it is?"

Another incident dating from my boyhood recollection was the time that, together with some companions, I climbed a maple tree by the wall of the White House and watched the President's marriage ceremonial in the Blue Room. It is another humorous recollection that when the bridegroom gave his new consort his arm to escort her up the stairway, he used his right arm instead of his left, but the lady promptly corrected him.

CAPITOL GOSSIP OF THAT DAY

While I do not wish to diverge into the realm of gossip I can recall the busy tongues wagging in the Washington, of that day, concerning some of the most eminent figures of the administration. And it surely will be of interest to readers of this generation to recall the scandalous aura which hung over a little red brick building, colloquially known as the "Red House," located, as I recall, in one of the western suburbs. It was said at the time to be the rendezvous of sport-loving legislators and I was told, I do not know with what truth, that the Chief Executive himself had once disappeared within its walls for a mysterious two weeks' visit. At this time John C. Carlisle was Secretary of the Treasury, and was also said to have been afflicted with unexplained "leaves of absence." At a previous period, when he occupied the Speaker's chair, there was one occasion which I remember when the lanky hands of the House clock were turned back one and a half hours to permit a far and wide search for him!

At that time in the House there was no press gallery, as we know it today; the press quarters were then called "Newspaper Row," and I remember well, the occasion on which an enterprising young journalist representing a western paper wrote and sent to his paper a half page story, in which the alleged escapades of the Speaker were described in great and startling detail. The yarn was in type, ready to go on the press, but was killed by the reporter by wire after threats made by his newspaper associates to run him out if it was printed. It was common gossip among the members of the House, that the extinguished story had dealt with a certain occasion on which the Speaker had made a hectic exit somewhere,

THE WHITE HOUSE
WASHINGTON

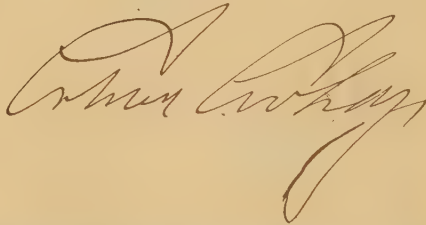
August 7, 1923.

Honorable John W. Langley,
Pikeville, Kentucky.

My dear Mr. Langley:

It is good to receive such
a message from an old friend like
yourself, and I want you to know that
I deeply appreciate it. It is a help
in a time like this.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Calvin Coolidge". The signature is fluid and cursive, with a large, sweeping initial "C" and a long, trailing flourish at the end.

Letter from President Coolidge at time of President Harding's
death.

down a flight of stairs, in his nightgown. In fact such frivolities, at that social period, were not only common, but tolerated, and much gossip also revolved about President Chester A. Arther, who is known to have frequently entertained to tea at the White House many of his fair acquaintances.

PRESIDENT COOLIDGE

My first meeting with the late President Coolidge occurred when he was Governor of Massachusetts, I think in the State Capitol at Boston. He was then the same quiet-mannered man of few words that he is today. I next saw him to talk with, when he was Republican nominee for Vice-President in 1920. At that time, at the request of the National Committee chairman, I joined him on his special train at Charlestown, West Virginia to help in his campaign on the ticket.

In this tour we visited many southern counties including my own district, and it was often my pleasure and duty to introduce him. The Committee was particularly anxious that I should introduce him at Jackson, Ky., because I had always carried that Democratic section. I once remarked to Mr. Coolidge: "I have introduced you at least a dozen times, and have said all the good about you I could and some I don't know." Always addressing me familiarly, he replied: "Oh, Jawn, you needn't talk about that, say anything you like." As the subject of his laconic style had often come up between us, I told him on one occasion that I was going to be even briefer than himself. And used the following words at Jackson: "Ladies and Gentlemen, I now have the honor of introducing to you the man who would now be the nominee for President but for Warren G. Harding." He afterwards

assured me that it was the best nomination speech he had ever heard in his life, no doubt on account of its brevity.

His retentiveness for names is well illustrated by an incident occurring at a public reception at the White House. During his presidency in 1923, I had made a wager of a box of candy with a lady who accompanied Mrs. Langley and myself that the President would instantly accost me as "Jawn," although fifteen or twenty thousand people were struggling to grasp his hand. When I reached him in line he quickly exclaimed, "Why, Jawn, hello" stopping to chat with me very briefly. . . . I refused to collect my wager, as I said it was unfair when my foreknowledge had been so infallible.

It was, and probably still is, a characteristic of Mr. Coolidge that, while he closes up like one of his own New England clams when in a crowd, he becomes quite voluble when alone with a friend.

There is, indeed, despite his long and busy career, a distinct strain of timidity in his character. Coupled with this is the heritage of taciturnity which he brings from his old Vermont hills, where the settlers often used to sit and whittle all day without saying a single word. Many commentators ascribe this reticence in Coolidge to his supposedly profound cerebral operations, but the simple truth seems to be that he was just "born that way." And he has found this peculiarity to do yeoman service for him in the ascription of abymal sagacity; undoubtedly he has been fortunate enough to prove that "silence" can be "golden."

Among others agreeably encountered during my long incumbency in Congress was "Al" Smith, the popular three-time Governor of New York. On two or three occasions when I was on official business at Albany, I had

congenial contacts with him, and once thereafter in New York City, from the "sidewalks" of which metropolis this truly remarkable personality literally sprang. In the House at Albany, in earlier years, he was a dominant personality, while his gubernatorial fame reached all corners of the globe.

AUTOGRAPH HUNTING

Like many another young chap, in my adolescent years I was an autograph hunter. I recall, in this hobby, my meeting with the great Sarah Bernhardt, then at the height of her glory on the tragic stage. I was just about 18 the day I walked, rather timidly, up the steps of the old Willard Hotel, and sent my name to the actress's room. Much to my surprise she asked that I should come up, which I did, and it was the first time I was to see a celebrated performer in the flesh at a private audience. Perhaps I may use the word flesh rather punningly, for the divine Sarah greeted me in a diaphonous gown that reduced to almost nothing the task of one's imagination, not to say fancy. She was graciousness itself, and opposed my shy withdrawal from the room after I had secured her autograph, now one of my prized possessions.

About this period I also visited the noted English actress, Ellen Terry, also stopping at the same hotel, then playing in Washington in "As You Like It." Above her signature she wrote for me: "I like this place and willingly would waste my time in it." The line just then did not suggest its origin to me, in fact I accepted it as an original confession of her own, but forty years later, seeing "As You Like It," at a Washington playhouse, the line suddenly bounded out of the dialogue, and then I knew that Miss Terry had aptly adopted it as part of her auto-

graph. As a boy I was well versed in Shakespeare, but this particular saying had escaped my memory.

My autograph-hunting once led me into a rather indiscreet act. One day, a year later, I visited Mt. Vernon, and in strolling about that classis retreat, my eye fell upon an original letter of George Washington, which I thoughtlessly appropriated and carried off. However, a day or so later I suddenly felt aware of the mistaken act—and journeyed back post-haste, waiting until no one was looking to replace the precious letter through the bars of the same case where I had found it.

ROBERT G. INGERSOLL

My "autograph" pursuit was the means of my first meeting with the late Col. Robert G. Ingersoll of whom, although I was the son of a Protestant minister, I had always been a great admirer. Indeed I considered him the foremost orator of his day, never missing an opportunity to hear him lecture, even if I had to go up into the peanut gallery when he spoke. One morning I noted in the paper that two ladies of his acquaintance had met him just as he emerged from a saloon opposite what is now the Raleigh Hotel, a structure then occupied by the Pension Office. It stated that one of them had remarked, "Why Col. Ingersoll we never thought of seeing you coming out of a place like this!" Whereupon Ingersoll then replied: "Well ladies, you surely didn't expect me to stay in there all day." This item suggested my going after Ingersoll's autograph, so that afternoon I went to his office a few blocks west of the Capitol. While I was telling his colored servant at the door what I wanted, speaking very admiringly of his master's gifts, the Colonel himself, sitting at his desk within overheard me and cried: "Come on in, son," which I gladly did. We conversed very pleas-

antly for several minutes and stating that he had heard what I had remarked about my religious faith, he asked me what I thought was the best thing he had said in his lecture the night before. I told him that it was his statement that he "could not understand why the Lord did not make health catching instead of disease." At this he laughed heartily, took from his shelf a copy of the lecture and, writing his compliments and signature on the front page, presented it to me. I noticed that his signature covered the entire page. I still have this book in my library. Thereafter I heard him speak again, but did not talk with him.

GEORGE H. PLANT

With my long acquaintanceship with George H. Plant first Mayor (or perhaps they then called it Commissioner) of Washington, ties up a somewhat interesting episode. Plant knew intimately the inglorious John Wilkes Booth, who assassinated Lincoln, and told me he had had a lengthy conversation with Booth on the very afternoon of the day marking his fiendish deed. It will be recalled that after Booth was ambushed and shot by his pursuers, and his body brought back to Washington, there was great uncertainty and much argument concerning the identity of the cadaver. It was Plant who finally set all argument at rest by pointing out, that, while he recognized the features at once, the scar on Booth's cheek near the mouth, especially familiar to him for years, allowed him to make conclusive identification.

PRESIDENT WILSON

With the late Woodrow Wilson I never had much personal contact, although I knew him while he was Governor of New Jersey. At one time when the Governors' Confer-

ence was held at Frankfort, Ky., (1912) I renewed my slight acquaintanceship with him, and heard his speech which closed the sessions.

Being an intimate friend of the man who had charge of the Governor's special train carrying the entire party, which was to be entertained at Louisville that night, I was early given a seat in a private compartment. After a brief interval Governor Marshall of Indiana was brought in and assigned a seat near me. We began at once to discuss the subject of Governors and Congressmen in general, and I was able to show him that I was intimately acquainted with almost the entire delegation in the House from his state, calling most of them by their first names. From my conversation Governor Marshall naturally assumed that I too was a Democrat. As someone has remarked, he probably thought it so unusual to send a Republican to Congress from Kentucky that he took my political affiliations for granted. Almost immediately he said: "Did you hear Wilson's closing speech?" I answered that I had, and upon his inquiring how I liked it I said that while I did not agree with everything the Governor had spoken, the speech was remarkably oratorical. Upon which Governor Marshall retorted, "Well, it may have been oratorical all right, but from my viewpoint he would make a mighty poor politician!"

While on this trip, Wilson and I happened to be in the same seat at one time, and, nearing Louisville, we entered into conversation.

"Look there, Langley," Wilson remarked, "they're taking a picture outside. Let's go out and get in it." We went out and were taken in the group, Wilson, I recall, steadying himself with one hand on my shoulder. . . . I was the butt of much teasing from my political enemies concerning this incident.

That night the Democrats of the Kentucky legislature

tendered a banquet in honor of Wilson at the Capitol Hotel. Ollie James, then beginning his first senatorial term, handed me a ticket inviting me to come on in with him. "You don't mind being in there with the Democrats, do you?" he laughingly remarked.

I accepted, and when seated discovered that I was the lone Republican among hundreds of Democrats. This somewhat embarrassed me, and my discomfort was increased when they seated me at the same table with Governor Wilson, opposite him and Governor McCreary of my own state. Wilson by that time obviously knew I was a Republican, because whenever he would utter anything of a humorous nature concerning my party he would turn to look at me, ejaculating "Ha, ha, ha!"

Later that year I attended the Baltimore Convention, at which Wilson was nominated. It is fresh in my memory that William Jennings Bryan, who had not until that hour appeared anywhere in the convention, rushed from the rear of the platform past me where I was seated with my friends under arrangements made by Chairman Ollie James. Shortly following Bryan's notorious bolt of Champ Clark, my old friend Congressman Broussard, later Senator (now deceased and whose brother is serving in his place in the Senate) asked me to walk out to the rear of the Hall as he wanted to telephone Woodrow Wilson, then at his home in New Jersey, and who, the rumor went, was preparing to withdraw from the Convention.

I stood by and distinctly overheard the entire conversation. I heard Broussard tell him not to withdraw, that he already had some more assurance on the next ballot and that he was sure he would be the Democratic choice. . . . And nominated Wilson was, and elected President.

After he entered the White House, "Bob" Broussard came by my office, following a visit to the new Executive.

The substance of his remarks, as I recall, was that after his having convinced Wilson against withdrawal and secured his nomination—which I knew—it was now almost impossible for him to obtain an interview with that dignitary. Never, he added, would he go back to the White House as long as Wilson was its occupant—and, so far as I know, he never did!

After I had returned to Washington from the Baltimore convention, on the night of the closing of the session I was with a group of men all of whom I thought were Congressmen. We got on the subject of the recent Democratic convention, when I said, "Boys I would like to tell you a story in confidence." Then I went on to relate what Government Marshall, of Indiana—made half-famous, by the way, by his epigram that what America needed most was a good five-cent cigar—had said to me that day when on the train with him to Louisville. A gentleman in the group, not before noticed by me and evidently a newspaperman, suddenly addressed me as follows: "John, you don't know what it would be worth to me if you would give me permission to publish that little story." I replied that I could not give my consent, being "a little one-horse Congressman from the south" while Marshall was now heir-apparent to the throne and would certainly deny it, and his position would cause his denial to be accepted. . . . Now, since Wilson, Marshall, and most others who knew about this have gone to a land where both conventions and politics are unknown, I feel I can release this startling bit of criticism.

Returning a little, I recall that as Broussard and I went out to the telephone we saw Bryan and Ollie James in earnest secret conference. We felt that something important must be in the air. But we had no meeting with them—they simply hollered at us good-naturedly and we went on.



Octagonal mahogany table now in our home at Pikeville which the late President Harding used as Senator, and until the day before his inauguration. (*See opposite page*)

At right, picture of mother and father enlarged from tintype of over a half century ago.

PRESIDENT HARDING

With the late President Harding I was extremely well acquainted. Mrs. Langley and I visited him together several times at his home in Marion, Ohio, after his nomination for President. On one occasion we were both included in a moving picture made just before his inauguration in his front yard at Marion. Among those in the picture were the present Senator from Maine, Frederic Hale, and Senator Elkins, son of the deceased Senator, he having succeeded his father, who died in office, as a West Virginia senator.

We also are now the possessors of a photograph taken with President-elect Harding at his own request by the east front of the Senate Office Building. The frame holding which is from the unburned portion of a door in the old United States Capitol, fired by the British in 1814. We have also in our home the mahogany table which Mr. Harding used throughout his term in the Senate, and until within a few days preceding his inauguration. Herein are reproduced the two photographs mentioned above, on the table being noted a prize picture of Mr. Harding and my father and mother, the latter taken from a "tintype" of them made more than sixty years ago.

I was very proud of a personal letter I received from Harding, while he was in the presidential chair, in the winter of 1922-23. But for the fact that this letter was mislaid, or more probably stolen by some enemy from my office files, I should have shown the original herein; however I secured through the President's secretary a typewritten copy of which a reproduction is made herewith.

One day, I think during the winter of 1922-23, the

President's secretary, Mr. Christian, telephoned me that the Executive wanted me to call upon him. I went immediately, when he told me that I, being Chairman of the Committee on Public Buildings and Grounds, he wished me to introduce and press for immediate passage, a bill giving separate organization for the White House police force, making the head of this force directly responsible to the President. As it was, he pointed out, necessary for the President to go to the Major and Superintendent of Police of Washington to secure a change in the White House force, although the appointment of this official was vested in the Chief Executive. Mr. Harding added that he was not at all afraid of the officers then stationed on the White House grounds, and not apprehensive of them doing him any harm, but he said that Mrs. Harding was always worrying about it, fearing that some harm might come to him.

I immediately introduced the bill, and it was passed without delay, through both Houses. I telephoned the President from the Capitol advising him of my success, and that the bill was being enrolled for his signature. He was profuse in his thanks for hurrying it through and once more repeated, "It was really Mrs. Harding's bill, as I've told you," and that he would at once advise her of its passage. I know he did, for the next time I saw her she made me most gracious acknowledgements. However, I could never stop wondering what particular thing it was that Mrs. Harding had been worried about, and was often going to query the President about this supposed danger—but I never did. Maybe it was a delicate subject.

I do not think it agrees with my reminiscences to refer more than briefly here to the many stories whispered of the long continued liaison alleged to exist between President Harding and a school-teacher from his own

THE WHITE HOUSE
WASHINGTON

February 9, 1923.

My dear Congressman Langley:

Mr. Forster has shown me your thoughtful and gracious letter of February 8th, and I wish you to know of my very grateful appreciation. It is encouraging to know of your high opinion of my address to the Congress on Wednesday, and I am sure I need not tell you how grateful I am for the cordial support you gave to the bill favoring an American Merchant Marine. I am confident you will never regret that attitude.

Thanking you for your generous assurance, I am,

Very truly yours,

WARREN G. HARDING.

Hon. John W. Langley,
House of Representatives,
Washington, D. C.

Original stolen from my office.—(*Certified copy*)

state named Nan Britton. There was, of course, plenty of talk in inside Washington circles about the matter, and indeed Miss Britton herself, in her published book entitled "The President's Daughter" has written an alleged history of her intimacies with Harding. If I were asked my opinion, I should comment on the well-known phenomena of purported scandals always arising, it seems, to surround men who rise to prominence, whose very eminence halts disproof; especially apocraphyal, to my mind, are such stories when, as in this case, aimed at a man on whose lips death has stamped its silence. Knowing the President, as I did, I could not credit such scandalous tales concerning him.

What an amazing personality he possessed! Of a fine, tall figure, of commanding mien, with the face of a poet or bon-vivant rather than of a statesman, with delightfully gracious and urbane manners his personality was matched by few who have ever sat in the presidential chair. Over his actions always hung, however, a sort of wistful melancholy, and yet that only served, I thought, to increase his charm.

I might add that the last time I saw him in his office in the White House, February 23, 1923, when he made me the positive promise to sign an executive order establishing a Soldiers' Hospital at Pikeville, Ky., which he did later in the day (See elsewhere facsimile reproduction of this original order). Always have I felt that there were certain individuals who believed that it never would do for a clodhopper from the mountains to secure a new Federal institution right up in the shadow of the Cumberlands, and that such exploits must intrigue my running for some other office in a way that might baffle their plans. So, elsewhere, see a photostate-engraving of this very hospital, originally drawn by the Chief Engineer of

the Veterans' Bureau and approved by the head of the Bureau itself, as well as by President Harding. I wish to recite that this hospital order was immediately cancelled when my court troubles began, and that has ended the matter.

As a close friend of Harding, I represented Kentucky on the Funeral Committee. It was through that close friendship I succeeded in securing the location of the Government Hospital at Pikeville. I prize beyond words the following personal letter received from the deceased Chief Executive:

The White House
Washington,

February 9, 1923.

My dear Congressman Langley:

Mr. Forster has shown me your thoughtful and gracious letter of February 8th, and I wish you to know of my very grateful appreciation. It is encouraging to know of your high opinion of my address to the Congress on Wednesday, and I am sure I need not tell you how grateful I am for the cordial support you gave to the bill favoring an American Merchant Marine. I am confident you will never regret that attitude.

Thanking you for your generous assurances, I am,

Very truly yours,

WARREN G. HARDING.

SEC'Y OF LABOR, DAVIS

One of the best friends I ever had in public life was James J. Davis, Secretary of Labor. The evening following Harding's inauguration as President I had an en-



The government hospital at Pikeville drawn by the engineer of the Veteran's Bureau and approved
by General Hines, never built because of my persecution.

gagement at the Arlington Hotel with Col. A. T. Hert of Kentucky and others. As I walked through the lobby of the hotel to keep my engagement I espied Davis. "Hello, Jimmie," I said, "Come on up stairs with me and see our old friend, Tobe Hert." He replied, "I'm sorry, John, I have to go to the White House. The President has an informal meeting of the new Cabinet up there tonight and I will have to attend." I had just read in the afternoon paper the names of the new Cabinet but it had not dawned on me that the "Secretary of Labor" was my old friend, Jimmie Davis of Pennsylvania. "Why, Jimmie," I said, "You don't mean to tell me that you are the Davis who is in the new Cabinet. I saw the name Davis but I had no idea it was you." "Yes," he replied, "I guess I'm the fellow and I must be going or I'll be late. Tell Tobe I'm sorry to miss him tonight."

Secretary Davis is a wonderful man. He must be to have been in Harding's Cabinet, retained in Coolidge's and kept over in Hoover's. He has done wonders for the interests of labor. I had much to do with his branch of the service while I remained in Congress as well as with him personally. He combines genial dignity with a courtly manner, and everybody likes him. I happen to recall that he and the president of the B. & O. Railroad and myself composed the Commission which formed the plans for the subdivision of the grounds between the Union station and the Capitol grounds.

JOHN AND W. T. SHERMAN

While I did not know John and William T. Sherman as intimately as I did some of the other distinguished men of their day, yet I knew them well and have many times talked with both of them. It is to me a pleasing memory that each in a separate letter personally written

urged Secretary Noble to appoint me a member of the Board of Pension Appeals in 1890, and from the close scrutiny which the Secretary gave these letters and the questions he asked me as to my personal acquaintance with them, I have always felt that their endorsement had much to do with my appointment.

MARK TWAIN

Although I never had the pleasure of acquaintance with America's immortal humorist Mark Twain, a very interesting story concerning him was relayed to me while I was Appt. Clerk in the Census Office by Hon. S. N. G. North, Director of the Census Office. Mr. North, who had visited Germany in 1903 as head of the Tariff Commission, had several interviews while there with Kaiser Wilhelm. At the last interview, when he was bidding adieu to the Emperor, the latter remarked with a smile: "When you see Mr. Clemens again tell him that I send him my very kindest regards." North was somewhat mystified by this message, but as soon as he next saw Twain, delivered it. It was then that Mark clarified the mystery by an anecdote concerning his last meeting with Emperor Wilhelm. This was as a guest of honor at a banquet at Potsdam, when he was seated next to the potentate. Mark first explained that the rigorous routine of the German Court precluded any guest from contradicting Wilhelm. But it appears that Mark, always irrepressible and not giving a continental for any dignitary, had taken issue with some remark made by the Emperor. Whereupon His Highness had turned his back suddenly on Twain, refusing to speak to him again during the evening. Mark concluded this reminiscence by adding: "North, I know what this message means—Bill's con-

science must be troubling him for that big back he turned on me at the dinner."

FOCH

When the famous French general, Foch, visited the United States during the World War the House of Representatives adjourned for half an hour to give him a reception in the halls of Congress. We all passed him by in line, shaking hands with the venerable soldier. With me were Mrs. Langley and our "baby" son, John, Jr., and after Foch had finished shaking hands with us three, he paused a moment, and addressing our boy, said: "What are your plans for the future, son?" The boy replied that he was going to the Naval Academy and become an officer. Whereupon the distinguished man replied: "That's right, son. I salute you as a future Admiral of the navy."

One of the boy's proudest memories is this incident—and he goes to Annapolis next year.

HON. CHARLES EVANS HUGHES

For many years—indeed ever since he became a candidate for the presidency in 1916—I have known most cordially this eminent statesman and jurist. I was strongly for him in the presidential race because of his amazing legal ability. During the campaign his opponents tried to discredit him as an "icicle," but this charge was not true and those aware of his personal graciousness and geniality paid no attention to it.

Shortly after his nomination I came to New York to ask him to appoint Col. A. T. Hert, mentioned elsewhere in my book, as Assistant Chairman of the campaign committee. Before I could see Governor Hughes on this mission I encountered Frank H. Hitchcock, who was Post-

master General for a period in Roosevelt's Cabinet, and had been my college chum and longtime friend. I recall that Frank asked me to urge upon Hughes when I saw him the great inadvisability of his now famous speaking tour in the west, afterwards regarded as the cause of his defeat.

I afterwards furnished the Governor much amusement with a story of the time when I was campaigning for him in Kentucky, and went one night to confer with a man who controlled a certain county. It being too muddy and icy to travel on horseback, I had to wade through the slush and slime almost up to my waist, and when I arrived, I told Hughes there was considerable frost and other things on my person. Whereupon, with his dry humor he remarked, "So you started out in a blizzard and wound up with an icicle." Speaking of his approaching western trip of speech-making, he further added that when they heard him he was sure they would not, as some had predicted, find him such an icicle after all.

The governor at once assented to Col. Hert's appointment, and when I went to the Colonel's rooms and told him of this, he said, "I am tickled pink! Now, John, you must take an automobile ride with me." Which I did—and he asked that I also take a drink with him. I agreed—and it was the first and last time we imbibed together.

Later in the campaign Gov. Hughes visited Pikeville at my request, which was the only time a presidential nominee ever did so. Mrs. Hughes was with him and they stayed over-night at Pikeville. The next morning I introduced them both to the largest gathering I ever witnessed in my home town, although the meeting was held at the uncanny hour of 8 o'clock. I also introduced them at several points down the Big Sandy. I recall that when



Monument erected to Stephen B. Elkins at Elkins, W. Va. His widow and daughter had engraved on this monument this extract from my oration in honor of his memory in the House: "He had a great intellect under splendid control," as the best description in a single sentence of his public career.

we were between Catlettsburg and Ashland, I was riding on the rear end of the special with Mrs. Hughes, pointing out the sights. I told her that we were approaching the Solvey plant where hundreds of men were employed and that as they probably could not attend the speaking at Ashland she had better wave a greeting at them as we passed. However, no one could be seen at the plant and I found that they all had gone to the park to hear the Governor speak. She said she was going to salute the plant anyway, and waving her hand she cried, "Hello, Solvey!"

Since that occasion I have met Gov. Hughes a great many times. In the interval he has been a cabinet member and also sat for a time on the bench of the United States Supreme Court, which office he resigned to accept the nomination in 1916. I have never found him anything but markedly genial, but he always called me, "Mr. Langley" a formality which but few of the great public men I have known ever observed. Many in our section were deeply grieved when he declined to enter the race for the nomination in 1928.

CHRISTINE BRADLEY SOUTH

The name of one of the most noted women of the south heads this paragraph. I knew Mrs. South from her early girlhood. She is the daughter of the late Senator Bradley, and I recall that she stood next to her father when he was inaugurated Governor of Kentucky in 1895. She was a mere miss then.

Some years later she married Dr. John G. South the descendant of a great Kentucky family, who has just recently been reappointed as Minister to Panama. While she has spent most of the interval with her husband in Panama, she has kept in constant touch with Kentucky

politics and is really the woman leader of the Bradley forces in the Republican party in my state. Like her father she is a famed orator and has thrilled many an audience in and out of Kentucky, with her magnetic eloquence. She was selected to second the nomination of President Hoover at Chicago. She is a noted writer and completed the writing of her father's memoirs. I have no more delightful recollections than of the many pleasant hours spent in her home at Frankfort and in her society elsewhere.

Speaking still further of the noted women of the South, modesty forbids me from saying more concerning my wife, Katherine Langley, now in Congress than that I am willing to let her splendid record stand on its own merits.

There are many other famous members of the opposite sex in Kentucky, powerful in politics as well as other public avocations, whose names I omit simply for lack of space but whose careers render me doubly proud that Susan B. Anthony taught me to believe in woman-suffrage while I was yet a mere youth.

"UNCLE JOE" CANNON

That name represents one of the dearest friends I ever had on earth. I knew him several years before I entered Congress. When he was Chairman of the House Appropriations Committee and I was Appointment Clerk of the Census Office, he came all the way one day from the Capitol to my office to tell me that, upon his insistence, my salary had been increased from \$2,000 to \$2,500.

A considerable part of the time while I was in the House we lived only two blocks away from him and his daughter and I went to see him frequently. He was not guilty

of "over-indulgence" but occasionally took a nip. Many a time I took to him samples of a good "Old Kentucky" brand. When I rang the doorbell his daughter usually answered it and invariably would say: "Daddy is in there, Mr. Langley. Go right in." One day when I met him at the Capitol he said: "Do you know, my boy, that some fellows came by to see me last night and drank every drop of what you left me. I hardly ever touch anything myself but the next time it is handy I wish you would bring me another package." That evening I complied promptly with his suggestion. "Very kind of you, my boy," he said. Almost invariably I was "My boy" to Uncle Joe.

He was immensely popular in the House. When he got to be an old man he never took part in general debate, waiting always for debate under the five minute rule. Sometimes he would get started and talk for twenty minutes or more but no one ever made a point of order on him nor did the Speaker ever call him down. He seemed to have the gift of second sight as he never used glasses when he read from extracts while speaking. He was amazingly active until almost the end of his career at Washington. One day when the side-walks were ice-covered with snow sprinkled on top, he and I were waiting at the corner for a street car. Suddenly he began shuffling a hoe-down! I tried to join him, but instantly fell flat on my back, Uncle Joe laughingly helped me to my feet.

Once in the House he was answering a newspaper criticism which charged him with entering politics a poor man, while now he was rich. Among other things he admitted having purchased a large tract of land years before, which had greatly increased in value, and he pointed out had never been extravagant with his in-

come, and as a result, while he was not rich, he had plenty to keep him comfortable to the end of his life. At this point he yielded to an interruption from me when I told him that there were a good many of us who would like him to tell us "just how a fellow feels when he is in that situation." The general laughter which followed drowned his reply and I never did know what it was.

One time he and I sat alone conversing in the cloak room. He was relating the story of his intimate acquaintance with Abraham Lincoln and other public men of Lincoln's time. I remember his remark that Lincoln was "a link that bound the present to past." He said that many wanted him to write his memoirs of these men and times, and that they would gladly pay expenses of such a book. I shall never forget his reply: "These great figures, my boy, have posterity scattered all over the country who are very proud of the relationship. I am too tender-hearted to tell the truth and too near the end of my life to tell a lie—and so I have decided to write nothing."

The day that Uncle Joe retired voluntarily from Congress Mrs. Langley and I met him as we were walking through the hall of the Capitol. "Here," he said, "let's have a picture." There was a "tintype" photographer nearby, and we called him. I stood on one side of Uncle Joe and Mrs. Langley on the other, and at his suggestion we each put the arm next him around his neck, which pose showed very distinctly in the picture. Only one was taken and we kept it for a long while. We have searched everywhere for it since I began writing this book, but in vain. Else it would have been one of the dearly prized photographs in my collection.

CLOSING MEMORIES

Chapter IV

JUST as the book is going to press, I am adding here a few scattering memories to round out my work. These I will present just as they come into my mind regardless of dates or contents.

JAMES S. SHERMAN

The distinguished man whose name heads this item was one of my warmest friends. I knew him most cordially as a member of the lower House of Congress for some years before I entered that body and I served several years there with him. He and I were sitting together one night on the stage of the Republican National Convention at Chicago in June, 1908, just before Judge Taft was nominated. I remarked to him: "Jimmie, you would make a great candidate for Vice-President." He replied: "No honor would please me more and, John, if there are any delegates you might influence for me I wish you would get busy." I did and whether I helped or not, I tried my best. He was nominated and elected and we remained the warmest friends until his untimely death during his term of office. I recall a very amusing incident that took place on the Senate floor while he was in the chair. Senators Bradley of Kentucky and Root of New York had seats together in what was called the "Oklahoma Strip" on the Democratic side. I was sitting and talking with these Sena-

tors. Suddenly Senator Bradley said: "John, do you know who that little page boy is over there?" I at once identified him as the son of Nat Cureton of Louisville and then asked the Senator how he managed to get him appointed page when he was considerably under the minimum age required by the Senate rules. He blandly replied: "Green River." Senator Root and I knew what he meant and laughed heartily. Senator Bradley then added that this boy had taught him to be a little more careful about his language in the presence of boys. He said this boy always insisted on waiting on him and that when a man wanted to see him in the "blue room" he would ask the boy what sort of a looking old —— is he? One day the boy approached his desk and said: "Senator, there is an old, bald headed —— out there who wants to see you." When he went into the "blue room" he found that his caller was Col. Thomas S. Morrow, the father of Ex-Governor Edwin P. Morrow and the Senator's brother-in-law.

Senator Root and I laughed so vigorously at this story, that a certain Senator who had the floor momentarily ceased speaking and turned half toward us in silent protest at our interruption. Vice-President Sherman looking straight at me with a half smile, said: "The House and Senate will please be in order." So far as I know this is the only instance in the history of Congress that the presiding officer of the Senate, in the Senate, addressed himself to both Houses.

P. GREEN MILLER

It will be recalled that Miller who was at the time Division Chief for Kentucky and Tennessee, was the man who ordered Marcum and Kennard to report to



Certificate of Membership in private Soldiers and Sailors Legion.

Sawyer Smith's office and carry out his instruction, which they did.

I got Miller an appointment in the revenue service while Judge Taft was President. After Woodrow Wilson became President, Miller was removed. When Harding became President, and Collins was made Prohibition Director, I had had Miller, at the request of his brother, appointed under Collins. Not long after this a very prominent Kentucky Republican told me that I should not have had this done, because Miller was removed from the first job I got for him, because he did not believe in the divinity of Christ and had said that He was a bastard and his Mother a prostitute. I replied that I had had Miller re-instated on account of his brother who was my warm personal friend and a member of the Republican State Central Committee, but that I would gladly join in any movement looking to Miller's removal on this ground. However, the movement was never started, but Miller was advanced to the position he held when he sent Marcum and Kennard to Smith. What I had said, promptly reached Miller. He came to Washington with Collins and constantly hobnobbed with him while there. He attended my trial at Covington and did all he could to secure my conviction. Thus was I hounded by another ingrate and Judas Iscariot.

MY FEATS OF MEMORY

When I was appointed Clerk of the Census Office, a dozen or more of the members of the Lower House of Congress invited me to take dinner with them at the Capitol.

During the dinner, some remark was made by one of the members about what an unusual memory I had. He

offered to bet a box of cigars, the box to be presented to me, that I could name both Senators and every Representative from any State that might be mentioned, and that I could give the full name of every appointee in our office named by each of the members present. Some one took the bet. Several states were named and I immediately gave the full names of the entire delegation from such states. I also gave all of the names of their appointees correctly with the exception of the middle initial of one. It was unanimously decided that this should not be held against me, in view of the remarkable memory test I had undergone, and the man who accepted the bet, cheerfully sent for a box of perfectos and presented them to me before the dinner was over.

"TURNPIKE JOHN"

I was one of the few leaders of the movement in Congress to provide Federal aid in the construction of turnpike roads, and was called in Congress and finally in the newspapers throughout the country "Turnpike John." I received a number of letters from Europe, especially from England, France and Italy, requesting a copy of my speech on turnpikes. In one of my early races for Congress, I told my opponent in a joint debate that I would get him a job, after I had defeated him, and I did.

During my first term in Congress, the Georgia delegation gave me a banquet at Harvey's Restaurant on Pennsylvania Avenue. The chief dish was stewed opossum, a favorite dish of the Georgians. I had to eat some of it. This was the first and last time I ever tasted that animal. During the dinner an argument arose whether mint juleps originated in Georgia or Kentucky. I took the Kentucky side of the argument, whereupon one of the

Georgia members told the following story: Many years ago a Georgian was riding horseback through the blue grass of Kentucky, purchasing some live stock. He noticed a farmhouse by the roadside which had a rather prosperous appearance, and he rode up to the yard fence, and called, whereupon the owner came out and asked him to get down and come in, which he did. The Georgian had some fine old Kentucky Taylor whisky with him, and at his request the farmer went out and brought in a handful of mint and they had two or three drinks of mint julep. Some years later, this Georgian had occasion to make another trip by this same farmhouse and when he called, an old negro answered him. He asked the negro if so and so still lived there. The negro's reply was: "No, sah. He used to live here, but a Georgian came along one day and teched him to drink grass in his lick, and he has done been dead a good while."

It has been so long since I tasted a mint julep that I have forgotten whether this mooted question as to the origin of mint juleps has been settled or not, but I distinctly recall that I always believed that if this story was true, the Georgian got his knowledge from Kentucky.

FREDERICK DOUGLAS

It has occurred to me that I had the honor of a personal acquaintance with the Hon. Frederick Douglas (colored) whom I met many times and who was regarded as the foremost leader of his race during his life. I talked with him more than once on the subject of the elevation and education of the negro race, particularly in the South, and was deeply impressed with his lofty ideals and far-reaching views on these questions. My book

would not be complete without paying this tribute to the great man who has long since gone to his reward.

PENSIONS

I have referred to my long service on the Invalid Pension Committee of the House, and to my hard work in behalf of the soldiers, widows and other dependents of all our wars, but I overlooked mentioning a fact of which I have always felt very proud. It was a unanimous resolution of that committee, expressing appreciation of my authorship of the blanks to be used by those applying for pension by special act of Congress, which greatly simplified the work of such applicants. This resolution was offered by Hon. Jouette Shouse, then a member of the committee, now Chairman of the Democratic National Executive Committee with headquarters at Washington and who honored Kentucky by being born in that State.

Several years after I had served my second term in the Kentucky Legislature, and while the contest for the Senatorship was bitterly waging between the late Senator Bradley and Dr. Hunter, I received seven votes on two or three ballots for United States Senator, which has always been remembered by me with much pleasure, even if Senator Bradley did chastise me for "permitting it," as he expressed it, while he, my devoted friend, was in such a desperate battle. This reminds me of an incident which occurred when Senator Bradley was elected to the Senate. When I made my successful race for Congress in 1906 the Senator made a number of speeches for me in my district, although he seemed to doubt my chance of success. When the returns were received by him, showing my election by a large majority, he wired

me saying simply: "I am surprised and pleased." Later on, when he was elected to the Senate, although the Legislature was Democratic, by a small majority, the news promptly reached me on the floor of the House at Washington. I immediately interrupted the proceedings to announce his election which was received with great applause, and I then immediately went to the telegraph office, and remembering his telegram when I was elected, I wired him: "I am surprised and pleased."

About the middle of my Congressional service and when I was a candidate for re-election, the following item, which was entirely correct, appeared in a good many newspapers:

Congressman John W. Langley is familiarly referred to as "Promissory John" all over the mountain section of Kentucky, so prolific has he been, according to common repute, in making promises in his races for Congress. The following story is told on him which indicates that his penchant for making promises is congenital rather than an acquired habit for political purposes. A good many years ago he was Appointment Clerk of the Census Office. It was in the good old days when the three or four thousand appointments of which he had supervision were not under the civil service. A prominent divine from a neighboring city had secured from Langley a promise that a young lady in whom the former was much interested should be given a clerkship in his office. Time passed on and political pressure for places increased while the influence of ministers of the gospel correspondingly waned. The date for making the promised appointment had gone by and the minister's protege was still unprovided for. He called on Langley again and the following dialogue took place:

"Mr. Langley, you promised me to appoint Miss Blank to a clerkship in your office." "I did," meekly responded the suave Appointment Clerk. "Well, she has not been appointed, has she?" "No, sir." "And is she going to be appointed?" queried the minister, his ire evidently beginning to rise. "I am afraid not," responded Langley, "because the place has already been filled." This was too much for the man of God. He lost his

temper and indignantly exclaimed: "Then, sir, you told me an untruth." "I guess that is about correct," replied Langely with perfect complacency. "Well, sir," retorted the minister, "what have you got to say for yourself?" "Pray for me," responded Langley, assuming a penitent attitude. "I am afraid my prayers would not be of any avail," snapped the minister as he strode haughtily out of the office.

When I went to Washington as a Clerk in the Pension Office, in 1882, Congress was not in session, but it met soon afterward. I sat in the gallery and watched General Keiffer of Ohio, then Speaker of the House, preside over its deliberations. He looked like my historic conception of a King and I remember wondering if I would ever get close enough to him to touch the hem of his garment, much less shake his hand. Many years afterward, when he and I were members of the House, we went on a Congressional trip to Panama, and both were engaged with other members in a penny-ante game on the steamer. I told him of the above incident at which he laughed most heartily. Incidentally I might say that General Keiffer won and I lost in the game.

Col. Goethals was on this trip and we became cordial friends going down. This was in 1907 when he was taking charge of the Canal Zone work. In the winter of 1908-9 Mrs. Langley and I made another trip to Panama. There were no other Congressional people on that trip. When we arrived at Christobel, we found that the Chagris River had risen sixty-seven feet during the preceding night, it being the rain season. The river had washed away the R. R. bridge which connected the road crossing the river to old Panama, where Mrs. Langley's uncle lived and whom we were going to visit. Col. Goethals had a temporary wooden bridge built across the river so that we could get over to Mr. Gudger's.

I recall that Col. Smedley Butler, then quite a young man, had charge of a number of soldiers and gave an exhibition drill for us.

One day Col. Goethals took Mrs. Langley and myself in his motor car all over the central division of the Canal work. He stopped in the cut in the middle of the Andes Mountains. We were then about 21 miles from the Pacific shore and 26 miles from the Atlantic shore. They were boring there to see whether a sea-level Canal were possible. Including the digging done by the old French Canal Zo. they were then over 400 feet down from the top of the hill and it bored something like 80 feet down toward sea-level. Col. Goethals called the chief of that division and told him to give us a sample of the shells they had found the day before, at the bottom of the drill. The chief gave us an oyster and a clam shell, which were in almost a thoroughly preserved condition. The shells were evidently deposited, when the ocean bed was there, which under the circumstances I thought most remarkable. These shells are still among my relics at home.

Just after the adjournment of Congress in 1910, we made still another Congressional trip to Panama. Indeed, I had charge of getting up the trip. Mrs. Langley and her father and mother went along, and so did Senator Warren, Representative Mondell, Senator Bradley and his daughter, Mrs. South, and in fact thirty-five or forty Congressional men and women altogether. Space compels me to be brief in recounting any details of this trip. I remember that Senator Bradley occupied the room next to Mrs. Langley and myself, and her mother and Mrs. South, the room on the other side of us. When we were passing around Cape Hatteras, called "the graveyard of the sea" because of conflicting ocean cur-

rents, a real storm was going on this time and the officials of the ship finally forbade us going out on the deck. The women folks in our immediate party were all more or less seasick and were lying down. Senator Bradley and I had with us a man's remedy for seasickness, and never took that distressing ailment. I was much interested in wireless telegraphy and had paid frequent visits on this trip to the operator on the floor above. As wave after wave struck the ship in mad fury, Senator Bradley, with whom I was walking in the inside corridor, evidently became alarmed and asked me to see my wireless friend and ascertain how far we were from shore. When I smiled, he said: "Oh, I don't mind but Christine (his daughter) is sick and nervous and I want to relieve her anxiety." When I came back from the wireless office, the Senator looked at me inquiringly, and said simply, "Well?" I told him we were opposite the Diamond Shoals lighthouse. He asked how far it was from shore, I told him two hundred and twenty-four miles. He replied: "What in the h—— good does that do us?" We then started to walk in opposite directions, when another terrific wave struck the ship, apparently almost endwise. I heard a loud noise in the direction Senator Bradley had gone, and turning around I saw that he had fallen flat on his stomach and had slid twelve or fifteen feet. I hurried to him and called two seamen to come and help me take him to his room, Bradley all the time yelling, that his back was broken and that he could never walk another step. He had already chided me with being the cause of his making this trip, which was his first sea-voyage, letting me know that if he ever got back on land he would never make another one. As we went by our room, Mrs. Langley said: "John, are you hurt?" The Senator replied: "Oh, if John isn't hurt,

then I guess you don't care if I'm killed." He had torn his pantaloons so badly in the fall that the boys had to take them and throw them off the rear end of the steamer into the ocean. According to what the boys told me, I could tell another "whale of a story" if I wished, but I desist.

Notwithstanding the Senator's insistence that his back was broken, the second day after his accident, we were out on the Indian Ocean and the weather was getting warm, although we left New York in a blizzard. The surface of the sea was as smooth as a mirror, and we were beginning to don our tropical clothes. After breakfast was over, Senator Bradley came walking briskly out into the reception room, where he was received with loud applause. He had completely recovered from the effects of his fall, and to prove his agility, he challenged me then and there, to dance a hoe-down with him, which I did as best I could. In proof, however, of the fact that the Senator was still fearful of the rugged waters of Cape Hatteras, he did his utmost, but without avail, to get the steamer to land at some point on our southern coast so that he could come back from there to Washington by rail, and avoid the Cape waters.

One day while we were there I accompanied Mrs. Langley and her mother, Mrs. J. M. Gudger, Mrs. Christine Bradley South, Mrs. Robert M. La Folette, the late Senator's wife, and one or two other ladies, on a trip to old Panama. We drove as far as the old bridge built some four or five hundred years ago, and left our vehicle there and walked the balance of the way to the old arena, where they used to have bull fights, and where Royalty sat and watched them about 300 or 400 years ago. We started to take a "nigh cut" through the dense forest which would have saved considerable walking. We

stopped at a fruit tree and began gathering some fruit, when we noticed two burly Jamaican negroes, apparently half-savage and dressed only in straw breech clouts, coming out of a straw hut, in a threatening manner. We promptly retreated, I staying in the rear and throwing "spickety money" to them until the women got out of danger, and we then went around the ocean route on to the arena. Being the only man in the party I was very nervous over my sense of responsibility to these women for leading them into such danger. None of us will ever forget that trip, I am sure. We returned to old Panama about sundown.

Several of us made a visit to Toboga Islands which are located out in the Pacific, several miles from the shore. A number of our party went along, among them being Senator Warren of Wyoming, Senator Bradley of Kentucky, Mrs. Langley and myself, and one or two others of our immediate party. We took dinner on these islands. I sat at the end of the table, next to a window, and actually picked tropical fruit off the limbs of a tree which stood by the window, and without even getting up from my seat. I saw concrete drainage there in perfect condition, which I was told had been constructed 400 years ago. Mrs. Langley and I had two native boys dive down some 30 or 40 feet and gather some pearls for us and then had them climb a cocoanut tree and gather some of this fruit. Mrs. Langley was rather heavily loaded with these cocoanuts, and on our way back to the steamer, she fell and severely sprained her ankle, so that she could not walk, and Senator Warren, old as he was even then, picked her up and carried her on his back to the steamer, and performed a similar service when we arrived at Panama City in taking her from the steamer to a taxi cab. She was unable to walk



The United States of America.

Victor H. Metcalf,
Secretary of Commerce and Labor.

To all who shall see these presents, greeting:

Know Ye, that, upon my special trust and confidence in the Integrity and Ability of

John W. Langley,

I do appoint him Disbursing and Appointment Clerk, Bureau of the Census, and do authorize and empower him to execute and fulfil the duties of that Office according to law and to have and to hold the said Office, with all the powers, privileges and emoluments thereunto of right appertaining, during the pleasure of the Secretary of Commerce and Labor for the time being, Salary \$2500 per annum.

Given under my hand and the Seal of the Department of Commerce and Labor, at the City of Washington, this _____ day of _____, A.D. 1904, and of the Independence of the United States the 128th.

V. H. Metcalf
Secretary of Commerce and Labor.

as a result of this sprain for more than two weeks after we returned to Washington.

One day I visited the place where Columbus first landed on the American continent. We were there several hours. I found it a beautiful as well as a historical spot, but much of our enjoyment was handicapped by rain and high winds, it being the rainy season. Sometimes when we were sitting on the deck of the small steamer en route, the sun would be shining and suddenly the rain would pour on us almost in bucketsful, before we could get inside the steamer.

One day before Mrs. Langley's accident, several of us visited the Gatun Dam, then in course of construction. There was a Japanese warship anchored outside the 3-mile limit. Col. Goethals entertained the Admiral at dinner and the soldiers from the ship were making extensive observations of the underground plans of the dam, and were jabbering to each other and showing every indication of the keenest interest. I got the impression then, and I have not recovered from it yet, that they were taking these observations so that if this country should ever get into war with Japan they would have much first hand information which might enable them to land part of our fleet on top of the Andes Mountains. When we were returning and were one day out of New York, I was talking with some of our companions on the trip about this, but did not observe that there was a newspaper man present. When we landed in New York next day, I found a special edition of one of the New York papers a day old, describing what I had said about this incident and making rather alarming comments on it. A copy of this paper soon reached the hands of Col. Goethals who construed it as a reflection upon him. I wrote him a full explanation but he was never quite the

same towards me. I met him several times while he was Assistant Secretary of War, and his treatment of me was most formal and reserved.

In 1915 Mrs. Langley, her father and mother, and forty or fifty other members of Congress and their families visited the Hawaiian Islands and were there for two weeks. I must be exceedingly brief about this visit. It is a tropical country like Panama, with a perpetual summer. In some respects I liked this country better than Panama. I would like to give an account of the initiation of the male portion of our party into the select organization known as the "Chiefs of Hawaii," but so many memories arise when I mentioned this, that I must not go into details. I recall a very funny joke on "Uncle Joe" Cannon who was a member of the party, but I must even leave that out, as well as other amusing incidents of the trip involving myself, Ollie James, Bascom Slemph and others. A prominent banker told me while I was in Hawaii, a funny incident which he said Mr. Clemens (Mark Twain) told him when he visited the islands some time before that date. There is a great deal of rain there at certain seasons, just as there is in Panama. Mr. Clemens was on his way to the top of the mountains back of Honolulu. Being in some doubt as to the exact route, he stopped a native who could talk some English and asked him the way, the native replied: "When you get to the forks of the road, take the first shower to the left." Upon our return to San Francisco we were going to take a trip to Alaska and tour the entire Pacific coast, but word came of the critical illness of our baby boy and Mrs. Langley and I hurried home.

COL. JOHN A. JOYCE

Col. John A. Joyce was one of my special friends for many years while I was in Washington. He was a native of Kentucky but migrated to Washington shortly after the Civil War, where he soon became one of its most picturesque characters. He was a disciple of the Muse, and turned out volume after volume of both poetry and prose. One of his most unusual books was a burlesque biography of William Shakespeare, which he spelled, Shakspeare, representing himself as a contemporary of the great bard.

At one time he became involved in a heated controversy with Ella Wheeler Wilcox over the authorship of the famous line beginning:

LAUGH, AND THE WORLD LAUGHS WITH YOU,
WEEP, AND YOU WEEP ALONE.

in the course of which battle Joyce produced a copy of an old paper,—a regimental blank—containing the lines which he repeatedly told me he wrote one night while he was walking back and forth outside a military dance-hall where a dance was in progress.

During all the years of my service in Congress it was my habit, especially when any important measure was coming up for a vote in the House to confer with Mrs. Langley. When the Volstead bill was approaching a vote, an intimate friend of mine in the House, a Democrat, argued most strenuously with me, that it was unconstitutional and that I ought to oppose it. I did not tell him what I was going to do, but I did talk with Mrs. Langley regarding the matter. She said to me, in substance, that this was one matter upon which she could

not advise me and that I would have to decide for myself. I thereupon walked out at the east front of the Capitol Building and said to myself that I would ask the Lord's help. While I was thus invoking this aid I accidentally glanced up towards the dome of the Capitol Building, and saw the flag waving beautifully at the top. Something seemed to say to me, "Stand by your country." I immediately went back into the House, obtained two or three minutes' time and when my Democratic friend came back on the floor, lo and behold, I was speaking for the measure. Many are the times that he has since chided me for my apparent change of views.

I have expressed heretofore in this book, my reasons for voting for that bill, and need not recount them here.

One day when President Taft was to appear before the Committee of which I was acting chairman, he told me at the War Department of which he was then Secretary, that he would drive me to the Capitol in his machine if I would go by the White House with him as he wanted to see President Roosevelt for a minute. I went with him. While the three of us were conversing, Senator Bradley's name came up and Roosevelt remarked: "There is a man who has more sense standing up and less sense sitting down, than any man I ever knew." Taft laughed heartily at the remark, but I did not. This was on the morning of the day that Taft made the remark to me about Bradley when we were on the floor of the House as I have already stated.

The internationally famous old Riggs House in Washington, torn down quite a number of years ago, lingers in my memory as the spot where I learned for the first time that there is money in whisky.

A well-known West Virginian, then a Congressman, used to frequent the bar of this celebrated hostelry and

whenever he saw a festive party gathered about the mahogany, he would always edge up to get in on the round. The comical part, however, was that almost every time the treat was on others, he would coolly sweep up the change off the bar and put it in his pocket without uttering a sound. His companions, esteeming him highly, were never known to have made any protest, and so long as I heard of him, he maintained this peculiarity. Of course I attributed it to lapses memoriae and not to intent to defraud!

I do not feel I should close these memoirs without a tribute to a very dear old friend of my own and Mrs. Langley's, Robert J. Foster, now the head of a prosperous detective bureau in New York City. Mr. Foster spent many years of his life in Louisville, Ky., some of which years were filled with vicissitudes. All his friends are still resentful of the miscarriage of justice which some 7 or 8 years ago caused him to be fined and incarcerated for a period of almost a month. His conviction was reversed on appeal and the fine remitted. His rapid rise to affluence in the great metropolis furnishes only another instance of what grit and determination will do.

WORLD SAFE FOR DEMOCRACY

The following story is told of what occurred during the World War at a country store on a rainy day in the 10th Kentucky District. Several men sitting around a stove in the store whittling and talking. After they had discussed several matters, one old man said: "I wonder what Wilson got us into this war for?" One of the party replied: "Why, to make the world safe for democracy." One man who had been sitting and whittling and spit-

ting ambeer on the floor, had not up until this time taken any part of the conversation, but when he heard this remark, he said: "Well I'm agin' it, I've been fightin' her all my life." The famous Jimmie Burns of South Carolina who was making a speech in the House in opposition to conscription, closed his address by paraphrasing the language of the Bible by saying: "What shall it profit America if she democratizes the world and loses her own democracy?"

While I was in prison Hon. James A. Wallace of Irvine, Kentucky, visited me and told me, that some time after Johnny Marcum made the affidavit which I have quoted in this book, he had a certified copy of the affidavit which he had been showing around to different people; that while Federal Court was in session at Frankfort, Kentucky, Sawyer Smith accosted him about it and threatened to have him indicted for showing this affidavit. They came so near to having a personal encounter that some bystanders had to hold them apart. Wallace finally told Smith that if the latter would hold the grand jury in session, until he could drive to his home in another city, he would get the affidavit and go before the grand jury himself with it, and let them indict whomever they pleased. Smith agreed to this. Wallace went and got this affidavit, but when he returned to Frankfort, the grand jury had adjourned and gone home.

While I was still in prison, a certain man whose name I have promised not to reveal, made two different trips to Washington, and on each occasion when he returned he told me that he had been assured at Washington by someone in authority and who had the power to have me released, said, that if I would confess that I was technically guilty, I would be released at once. My reply was, both times, that I would stay in prison until I died

ALMAS TEMPLE

WASHINGTON, D.C.

ANCIENT ARABIC ORDER OF THE NOBLES OF THE MYSTIC SHRINE



This is to Certify that Noble Hon. John H. Langley¹⁸⁸⁸ having fulfilled the requirements of the rules and regulations relating thereto has been constituted a **Life Member of Almas Temple** from and after the twenty-third day of February, 1915—

Attest

Recorder Narrson Dingman.

Potentate M. S. Quinter

Chief Rabban Clarence C. Miller

Assistant Rabban Almond S. Wace

Certificate of Life Membership, Almas Temple, Washington.

and would be buried in the Potters Field if necessary, before I would do this, as much as I would like to be at home with my family and friends.

The Hon. Hubert Work was Postmaster General under President Harding, and Secretary of the Interior under President Coolidge, and in 1928, was Chairman of the Republican National Committee. While he was Postmaster General, several of us were guests at a dinner given by a Congressman from Maryland at his Washington home. Mr. Work escorted Mrs. Langley to the dinner, while I was the escort of Mrs. Work. I recall that Mrs. Vanderbilt of the Vanderbilt Estate at Biltmore, near Asheville, North Carolina, was a guest and seated opposite me. While I was talking with her across the table, about an additional appropriation for the Asheville public building, Mr. Work said to Mrs. Work: "Mrs. Langley and I are having a fine time over here. Why is it that you and John are not talking more?" Her reply was: "He and Mrs. Vanderbilt are talking so much, that I hardly have time enough to get a word in edgewise."

The Hon. Harry S. New who was for a time Senator from Indiana, and succeeded Mr. Work as Postmaster General, which place he held until Hoover became President, has for many years called me "John" and always addressed his letters to me as "My dear John." In a recent letter to him, I questioned whether I ought to call him "Harry" still, in view of my recent trouble. His reply was: "Yes sir, I am still 'Harry' to you and always will be. Glad to have you address me in the same old way." In a later letter he says: "I have no objection whatever to your printing the letter in your book."

When I was a small boy my father established a country store. An old man lived up Middle Creek above us.

He could neither read nor write but was a good business man. For many years prior to his death he was the largest land owner and the richest man in the county. He was accustomed to calling suspenders by the name of "gallusses." The boxes containing these articles that my father sold were of course marked "suspenders." One day as he came into the store while I was helping my father wait upon customers and calling to me he said: "Johnnie, I wish you would show me some of them thar spenser gallusses." Ever afterward he was called "Old Spenser Gallusses."

After the President pardoned me Mrs. Langley received a message from ex-Governor Edwin P. Morrow as follows:

"I have just learned of John's pardon and restoration to citizenship. I know you are happy. I know his friends are happy and you know and he knows that I am happy."

Sawyer Smith has frequently told different people that he was forced by people higher up to fight me. I do not know whether he meant Mrs. Willebrandt, Attorney General Daugherty and ex-Senator Ernst or not but I have my suspicions.

A FEW LETTERS

THE WHITE HOUSE

WASHINGTON

February 14, 1924.

My Dear Mr. Langley:

Heartiest congratulations to Mrs. Langley and yourself.
The President is delighted.

Sincerely yours,

C. B. SLEMP, (Signed)

Secretary to the President.

Hon. John W. Langley,
House of Representatives,
Washington, D. C.

HOUSE OF REPRESENTATIVES U. S.

March 19, 1925.

Hon. John W. Langley,
Pikeville, Ky.
Dear John:

This is a belated acknowledgment of the very nice letter you wrote me at the end of last month. One advantage of it is that I can definitely thank you for your preliminary congratulations on my nomination for the Speakership, which became an actual fact.

I am sorry to hear that you are still under the weather, and hope that you will be all right in a short time.

With kindest regards to Mrs. Langley, I am,

Very sincerely yours,

NICHOLAS LONGSWORTH. (Signed)

THE KANSAS CITY STAR

New York, April 17, 1918.

Hon. John W. Langley,
House of Representatives,
Washington, D. C.

My Dear Mr. Langley:

That's a mighty nice letter of yours. I am so glad you liked my Maine speech.

Faithfully yours,

THEODORE ROOSEVELT. (Signed)

THE WHITE HOUSE

WASHINGTON

November 7, 1907.

Hon. John W. Langley, M. C.
Pikeville, Kentucky.

My Dear Mr. Langley:

Many thanks for your telegram. Of course I am delighted at the result in Kentucky, and I congratulate you heartily.

Sincerely yours,

THEODORE ROOSEVELT. (Signed)

The following is a copy of a letter (original in my possession) that was sent to all of the Republican Chairmen in the 10th Congressional District. Mr. Bryson was a resident of the extreme other end of the State. My unprecedented majority nearly six months later was a complete answer to Mr. Bryson's inquiry:

May 27, 1924.

Hon. W. R. McCoy, Chairman,
Martin County Republican Committee,
Inez, Kentucky.

Dear Sir:—

Because of my extreme fondness of and admiration for Hon. John W. Langley, Congressman from your District, I am taking the liberty of writing you to ask what the feeling is in your District towards him.

I am entirely frank to say that I do not believe a single word of the charges that have been brought against him; I believe he is the victim of as cold-blooded conspiracy as was ever brought against any man; the testimony against him was that of self-confessed criminals and persons who may have a personal interest in his destruction. I personally know that men were sent out into the various counties from which the tentative jury had been summoned, these men claiming to be sent out from the District Attorney's office, for the purpose of "getting a line on" the possible jurymen and inquiries were made as to their political affiliation, their predilections in various

lines, apparently to secure a jury that would be certain to convict. I never heard of this being done except in the one instance, the selection of the jury that was intended for and did convict Caleb Powers. I heard the address of the District Attorney in his preliminary address to the jury and I am obliged to say that I have never heard a more vindictive and venomous speech to a jury.

Can it be possible that the attempted destruction of John Langley is a conspiracy on the part of some men who wish to see another man representing the 10th Congressional District, coupled with a desire to also "get" Mr. Robsion of the 11th District? If two certain gentlemen can pull this off and succeed in both Districts, working together, would they not then be "sitting on the world?"

I am not sufficiently acquainted with the active Republicans of your District to know whether this is possible or not, but if it is at all true then the attempted destruction of Mr. Langley is the greatest crime in this age. As a Republican 62 years old and always an ACTIVE Republican, unfortunately living in a strong Democratic section, I earnestly hope that the Republicans of the Tenth District will rise up as ONE MAN and defeat this awful attempt.

I have known Mr. Langley for more than 20 years—just how long I cannot say—but I have always considered him, and still do, one of the most active, useful, efficient and aggressive Republicans of our State. I would be tremendously glad to see every Republican of his District and of all the State as well rally to his relief. It is a matter of great regret to me that I do not live in the Tenth District so that I could properly exert myself to my very utmost in his behalf.

Will you do me the favor to write me as Chairman of your County Committee, advising me of the feeling in your District towards Mr. Langley. I most earnestly hope that you all feel about the matter as I do, and that you will all offer him your most hearty support and assistance in his hour of trouble. I wish that I were so situated that I could do the same, but whatever I can do will most certainly and cheerfully be done. This is the time to show him your appreciation of his valuable services during all the years gone by.

Truly yours,

H. B. BRYSON,
Chairman Nich. Co. Rep. Com.

METROPOLITAN
432—4th Ave. N. Y.

February 7, 1918.

Mr. John W. Langley,
House of Representatives,
Washington, D. C.
My Dear Mr. Langley:

That's a mighty nice letter of yours. I thank you and appreciate it, and appreciate the clipping.

Faithfully yours,
THEODORE ROOSEVELT. (Signed)

The Chancellor, Professors, and Regents
of
THE NATIONAL UNIVERSITY
In the
CITY OF WASHINGTON, DISTRICT OF COLUMBIA.
TO ALL TO WHOM THESE PRESENTS SHALL COME
GREETING.

BE IT KNOWN THAT HONORABLE JOHN W. LANGLEY has been adjudged by the properly constituted authorities of this University to be worthy to receive from it the highest distinction it is by its Charter authorized to confer.

WHEREFORE, by the authority committed to us, we have conferred upon him the title and degree of

DOCTOR OF LAWS

as with all the rights, privileges, and honors, so with all the duties pertaining to this distinction.

IN TESTIMONY WHEREOF, we have subscribed our names to this document, attested by the seal of the University, this seventh day of June, Anno Domini, 1921.

(Seal)	JOHN L. CASSIN, Secretary to the Board of Regents.	EUGENE CARUSI, Chancellor of the University.
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